United States Department of the Interior
Bureau of Land Management

Environmental Assessment
DOI-BLM-UT-W020-2012-0006-EA

January 24, 2012

Sheeprock/Tintic Competitive/Trials 2012 OHV EA

Location: Juab and Millard County, Utah

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1.0 PURPOSE & NEED

1.1 Introduction

This Environmental Assessment (EA) has been prepared to disclose and analyze the environmental consequences of the Sheeprock/Tintic Competitive 2012 OHV races. The EA is a site-specific analysis of potential impacts that could result with the implementation of a proposed action or alternatives to the proposed action. The EA assists the BLM in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any "significant" impacts could result from the analyzed actions. "Significance" is defined by NEPA and is found in regulation 40 CFR 1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of "Finding of No Significant Impact" (FONSI). If the decision maker determines that this project has "significant" impacts following the analysis in the EA, then an EIS would be prepared for the project. If not, a Decision Record may be signed for the EA approving the selected alternative, whether the proposed action or another alternative. A Decision Record (DR), including a FONSI statement, documents the reasons why implementation of the selected alternative would not result in "significant" environmental impacts (effects) beyond those already addressed in the House Range Resource Management Plan (HRRMP) (*October 28, 1987*).

1.2 Background

Off-Highway Vehicle (OHV) racing (motorcycles & quads) is a popular recreation activity within the area known as the Sheeprock/Tintic ORV (Off Road Vehicle) Area located within the Fillmore Field Office (FFO). Authorization for this type of recreation is identified in the HRRMP and Record of Decision (ROD). This area is located at Township 10-16 South, Range 10-3 West, multiple sections, SLBM. Primarily the Sheeprock/Tintic ORV Area is located within Juab County with a small portion that extends into Millard County. (See Attached Map #1) This area is adjacent to the Little Sahara Recreation Area (LSRA) and is set aside in the plan as a competitive events area. The Sheeprock/Tintic ORV Area is designated as "Limited" within the HRRMP which restricts ORV use to existing roads, trails and washes.

The Sheeprock/Tintic ORV area offers a variety of ideally suited terrain which has led to the continuing popularity of this sport at this location. Typically, three to five different race groups propose Utah Sportsman Riders Association (USRA) sanctioned races. These races typically occur in the spring but occasionally are applied for in the fall as well. These races are typically proposed for use of previously approved roads, trails, in competitive event areas administered by the FFO to conduct motorcycle racing. This is in compliance with the HRRMP, which designates the Sheeprock/Tinitic ORV area as limited to existing roads, trails. In accordance with 43 CFR 2930 a Special Recreation Permit (SRP) (2930-1) is required for these events. Providing for this type of recreation conforms to the multiple-use profile for recreation activities on public lands within the Sheeprock /Tintic ORV Area and LSRA.

These races were previously analyzed through EA# UT-010-06-080, which was compled by the FFO. The FONSI/DR was signed by the Authorized Officer on May 15, 2009. The analysis in that EA is incorporated by reference into this EA. The FFO has been authorizing annually the SRP's for these race events based on the analysis contained in this document.

Secretarial Order No. 6310 Procedures for Considering LWCs (Lands with Wilderness Characteristics) in Land Use Planning, was issued on December 23, 2010, BLM was directed to maintain a current inventory of public lands with wilderness characteristics. The Secretarial Order was followed by Instruction Memorandum (IM) No. 2011-154 - Requirement to Conduct and Maintain Inventory Information for Wilderness Characteristics and to Consider Lands with Wilderness Characteristics in Land Use Plans was published on July 26, 2011. This IM requires that current inventories are reviewed to determine if Lands with Wilderness Character (LWC) are present within the project area.

During the 2012 FFO review of the existing EA it was determined that there is new information and new circumstances which have substantially changed the need for analysis of this proposed action. The BLM Washington Office (WO) published the IM No. 2012-043 Greater Sage-Grouse Interim Management Policies and Procedures on December 27, 2011. This Instruction Memorandum (IM) provides interim conservation policies and procedures to the Bureau of Land Management (BLM) field officials to be applied to ongoing and proposed authorizations and activities that affect the Greater Sage-Grouse *(Centrocercus urophasianus)* and its habitat.

1.3 Need for the Proposed Action

Each year the FFO BLM receives applications for competitive raced events which are proceded through an SPR process. The BLM's underlying need is to respond annually to these applications consistent with BLM policy, regulation, and the existing House Range RMP. Races have been an ongoing activity within the area for almost fifty years. ORV use within the area continues to grow both on a casual and competitive level. Permitting competitive race events within this area conforms to the multiple use mandates by which the BLM administers public lands and is an integral part of the recreation program of the FFO.

1.4 Purpose(s) of the Proposed Action

BLM is considering approval of competitive racing and trials events because the activity is consistent with the Federal Land Policy and Management Act of 1976 (FLPMA) which mandates multiple uses of Public Lands, including recreation use. This action is consistent with 43 Code of Federal Regulations 2930 and the Recreation Permits for Recreation Handbook, H-2930-1. An objective of BLM's recreation permit policy is to satisfy recreation demands within allowable use levels in an equitable, safe and enjoyable manner, minimizing adverse resource impacts and user conflicts.

Additionally, SRP's are recognized as an appropriate use of public lands in the House Range RMP which provides management direction for the Sheeprock/Tintic ORV Special Recreation Management Area (SRMA). BLM will consider approval of the SRP applications in a manner that avoids or reduces impacts on Wildlife including but not

limited to Sage Grouse, Raptors, mule deer and other resources and activities as identified in the House Range RMP, best meets the objectives of the Sheeprock/Tintic SRMA, and prevents unnecessary or undue degradation of the public lands.

1.5 Conformance with BLM Land Use Plan(s)

The Proposed Action and alternatives as described below are in conformance with the House Range RMP and ROD, October 1987. The Plan has been reviewed to determine if the Proposed Action conforms to land use terms and conditions required by 43 CFR 1610.

1) It is determined that Off Road Vehicles (ORV aka OHV) use is permitted on "existing" roads, trails, and washes within the Sheeprock/Tintic Competitive ORV Area. The HRRMP states on page 54, "….Little Sahara Recreation Area and adjoining lands would be established as a competitive events area, subject to present management."

1.6 Relationship to Statutes, Regulations, or Other Plans

The Federal Land Policy and Management Act of 1976 (FLPMA) mandates multiple uses of Public Lands, including recreation use. This action is consistent with 43 Code of Federal Regulations 2930 and the Recreation Permits for Recreation Handbook, H-2930-1. An objective of BLM's recreation permit policy is to satisfy recreation demands within allowable use levels in an equitable, safe and enjoyable manner, minimizing adverse resource impacts and user conflicts.

The Proposed Action specifically implements the Standards for Public Land Health and Guidelines for Recreation Management for BLM Lands in Utah by seeking to repair long-term damage caused by OHV activity. The Proposed Action "limits or controls" activities through specialized management tools.

The Proposed Action is also consistent with the following federal natural resource related policies and laws:

- Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa – 470mm)
- National Historic Preservation Act of 1966 and 1999 amendment (16 U.S.C. 470 et seq.)
- Native American Graves and Repatriation Act of 1990 (43 CFR 7)
- National Environmental Policy Act of 1969 (42 U.S.C. 4321)
- Endangered Species Act of 1973; 16 U.S.C. 1531-1544 as amended 1976-1982, 1984 and 1988.
- Bald and Golden Eagle Protection Act 1940; 16 U.S.C. 668-668d as amended 1959, 1962, 1972 and 1978
- Migratory Bird Treaty Act, 16 USC 703-712 as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989
- Juab County General Plan, April 1999
- Clean Air Act of 1990 as amended 2004
- WO IM No. 2012-043 Greater Sage-Grouse Interim Management Policies and Procedures

- WO IM No. 2011-154 Requirement to Conduct and Maintain Inventory Lands with Wilderness Character

1.7 Identification of Issues

The affected environment of the Proposed Action and No Action alternatives were considered and analyzed by an Interdisciplinary Team as documented in the Interdisciplinary Team Analysis Record Checklist, Appendix A. The checklist indicates which resources of concern are either not present in the project area or would not be impacted to a degree that requires detailed analysis.

In addition the Proposed Action and No Action alternatives were posted on the Electronic Network Bulletin Board (ENBB) on January 24, 2012 and maintained during the preparation and decision process for the Environmental Assesment. In addition, the 2009 Sheeprock/Tintic EA #UT-010-06-080 was placed on the ENBB. The FFO received one comment letter from the Southern Utah Wilderness Alliance and The Wilderness Society. Those comments and the FFO responses are incorporated into this document in Chapter 5 section 5.3.1.

The following elements have been determined to either not be present or are not affected by the proposed action: Area of Critical Environmental Concerns, Environmental Justice, Farmlands (Prime or Unique), Floodplains, Invasive, non-native species, Threatened, Endangered or Candidate Animal Species, Waste (hazardous or solid), Wild & Scenic Rivers, Wilderness/WSA's, Woodland/Forestry, Visual resources, Geology/Mineral Resources/Energy Production, Paleontology, Lands/Access, Fuels/Fire Management, Socio-economics, Wild Horse and Burro, Wilderness Characteristics, Rangeland Health Standards and Guidelines, Woodland/Forestry, Water Quality (drinking/ground), Soils.

The following elements and other resources may be potentially impacted and are brought forward for further analysis within this document:

1.7.1 Air Quality

- Fugitive dust may be generated from the race events.

1.7.2 Cultural Resources

- What is the impact to Historic Properties within the OHV area? *The operation of motor vehicles has the potential to adversely effect historic properties if any are in the path of large numbers of motorcycles and other Off Highway Vehicles. Driving over archaeological sites, especially at high speeds and in a race situation could potentially destroy features such as firehearths which are crucial elements of many archaeological sites.*

1.7.3 Invasive, non-native species

- OHV's may spread noxious invasive weeds.
- What is the potential for spread of noxious and invasive weeds in the OHV area?

1.7.4 Native American Religious Concerns

- What involvement have the local tribes had in the process?

1.7.5 Livestock Grazing

- What are the impacts to the grazing allotments within the OHV area?

- Fences and gates may be left open.
- Potential conflicts may be present with livestock on the McIntyre allotment.

1.7.6 Vegetation including Special Status Plant Species other than Fish & Wildlife Service (FWS) candidate or listed species

- There are three known BLM Sensitive Plant Species which occur within the OHV area.

1.7.7 Fish and Wildlife Including Special Status Species other than FWS candidate or listed species e.g. Migratory birds

- The Sheeprock/Tintic OHV SRMA is located within Sage Grouse habitat.
- Raptors use in the OHV area.

1.7.8 Recreation

- The proposed action includes the issuance of a Special Recreation Permit.

1.8 Issues Considered but Eliminated from Further Analysis

1.8.1 Air Quality

The races may cause dust and while relatively short in duration. Air Qualtity within the area is generally good and not within a non-attainment area. Information from the Division of Air Quality indicates that the area is in attainment for NAAQS. (http://www.airquality.utah.gov/). OHV race events as well as casual OHV activity have been ongoing within the area for over 50 years. OHV and other non-road mobile source emissions are included in the annual emission inventories conducted by the Utah Division of Air Quality in evaluating air quality for the area. The nearest Class 1 Airsheds are Capitol Reef and Canyonlands National Parks. Both are greater than 120 miles away and generally the opposite direction of the prevailing winds, which tend to blow more to the north or north east.

Current visitation to the area can exceed 35,000 people on Easter weekend alone in the Little Sahara Recreation Area, located adjacent to the SRMA. Visitation on an annual basis to LSRA is around 205,000. Disbursed camping and casual OHV use within the SRMA is a popular activity. In terms of air quality impacts from LSRA and the SRMA are seamless and interrelated.

The Milford Flat Fire continues to impact air quality within Millard and Juab County during periods of high wind. Impacts to the proposed project area as a result of the Milford Flat Fire are sporadic and weather dependant.

There is potential that fugitive dust may reduce visibility on some of the frequently traveled roads through the area. These impacts will be relativily short duration and will not be any different than that which occurs on a dirt road. If dust becomes a safety concern the BLM will require the clubs to post signs or montors to warn traffic of the conditions.

Based on this information, Air Quality will not be addressed further in this document.

1.8.2 Native American Religious Concerns

On March 1, 2012, BLM FFO sent a letter to Native American tribes inviting them to comment on the project and to provide assistance in identifying properties of traditional, religious, or cultural importance that may be impacted by the project. The letter was sent to the Paiute Tribe of Utah, Kanosh Band of the Paiute Tribe, Confederated Tribes of the Goshute Reservation, Hopi, Navajo and Skull Valley Goshute Tribe, and Uintah Ouray Ute Tribe.

At this time no concerns have been identified, however, consultation is ongoing. Should concerns be raised, the BLM would take appropriate measures to address and minimize those concerns. Therefore Native American Religious Concerns are not addressed further in this document.

1.8.3 Wilderness Study Area/Lands with Wilderness Character

No race events will be allowed within the Rockwell Wilderness Study Area (WSA) or the Rockwell Natural Area.

On December 23, 2010 Secretary Salazar signed Secretarial Order No. 6310, Procedures for Considering Lands with Wilderness Characteristics (LWC) in Land Use Planning. This directed BLM to maintain a current inventory of public lands with wilderness characteristics.

This was followed by Washington Office (WO) Instruction Memorandum (IM) No. 2011-154 - Requirement to Conduct and Maintain Inventory Information for Wilderness Characteristics and to Consider Lands with Wilderness Characteristics in Land Use Plans. This IM was issued on July 26, 2011. It included instructions on conduction Wilderness Characteristics Inventory on BLM Lands. The IM and the attached instructions were followed to maintain the existing inventory for the Wilderness Inventory Unit for the OHV area. It was determined that due to the fact that this area was designated as a OHV SRMA in 1987 and the area has been used as a OHV area for nearly 50 years, the Sheeprock/Tintic SRMA does not meet the naturalness criteria as described in WO-IM-No-2011-154. Therfore Lands with Wilderness Character will not be addressed further in this document.

1.9 Summary

This chapter has presented the purpose and need of the proposed project, as well as the relevant issues, i.e., those elements of the human environment that could be affected by the implementation of the proposed project. In order to meet the purpose and need of the proposed project in a way that resolves the issues, the BLM has considered and/or developed a range of action alternatives. These alternatives are presented in Chapter 2. The potential environmental impacts or consequences resulting from the implementation of each alternative considered in detail are analyzed in Chapter 4 for each of the identified issues.

2.0 DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

2.1 Introduction

The alternatives discussed in this section will be the Proposed Action/Alternative A and the No Action Alternative. Also, considered are the alternatives considered but eliminated from further analysis.

2.2 Alternative A – Proposed Action

The Proposed Action would authorize competitive race events within the Sheeprock/Tintic ORV Area. These events are sponsored and/or sanctioned by the American Motorcycle Association (AMA). The dates for these events are: typically between April 1and June 15 and between September 1and October 31. Currently the FFO receives application from the following groups:

- Sugar Loafers Motorcycle Club
- Fire Birds Motorcycle Club
- Buzzards Motorcycle Club
- The Sage Riders Motorcycle Club

The race events have 120 to 500 participants using courses that are up to 90 miles in length. The BLM has coordinated with these clubs to insure that the courses submitted follow approved routes as well as provide suggested measures to minimize/avoid any resource conflicts.

The SRP process and associated environmental analysis would continue to provide a structured approach to approve courses used for the events and complete the necessary steps to protect resources.

Guidelines for permitting of OHV SRP events:

- The proposed courses, starting areas, and staging areas are located on existing, roads, trails and washes.
- Starting and staging areas would be limited to those areas that have been used in the past and currently exist.
- These courses would be surveyed for wildlife (to include raptors), and Threatened & Endangered (T&E) Plants prior to the issuance of an SRP for the event.
- The SRP would contain any applicable mitigation and stipulations that have been brought forth to protect resources that are present and potentially impacted by the event.
- No races would be permitted within the Rockwell WSA.
- No races would be permitted within the Rockwell Natural Area.
- The courses for these events would be clearly marked using a florescent ribbon and arrows for easy course recognition at turns, up and down hill points, and other significant portions of the course.
- Promoters would provide barriers and monitors would be required where the authorized officer deems necessary to ensure compliance with the stipulations and mitigations.
- Check points would be established for rider safety and would have radio communications with the start/finish area.

- The permittee would have up to 10 days after the event to clear the course of all markings.
- The promoter would have safety personnel (crossing guards) posted at sections on the course that cross major roads and trails.
- The promoter is responsible to direct traffic in and around the staging/pit and start/finish areas during the event.
- Law enforcement assistance from Juab County Sheriff's Office and qualified emergency medical support, in coordination with Juab County, is the responsibility of the promoter.
- Also, promoters are required to receive written permission from private land owners, authorization from the Utah State Lands Department, and appropriate use permits from Juab County.
- BLM personnel would assist with law enforcement and monitoring of the event for protection of resources and the safety of participants and spectators.
- The BLM has standard Conditions of Approval that are to accompany every SRP. The applicant is aware of these up front and as such is included as design criteria within the proposed action. The BLM Conditions of Approval are listed in Appendix C.
- No race activity is to occur within sage grouse nesting, brooding and/or rearing habitat. In addition, racers are to contain their activity to the existing courses within the boundaries of the existing disturbance. Courses that pass through sage grouse winter range are to be monitored to ensure that racers remain within the existing disturbance.
- From March 15 – July 15, .5 mile no activity nest buffers are to be established around all raptor nests. If the nest is determined to be non active after May 30, the buffer(s) may be removed and activity may occur (Appendix D, BMPs for Raptors and Their Habitats In Utah).
- All riparian areas are to be avoided. The race is to be a minimum of 200 feet from any source of water and/or riparian vegetation except in areas where the stream channel is to be crossed. In areas where a stream is to be crossed, all crossings are to be perpendicular to the channel and are to be limited to the width of the race course.
- Raptor surveys pre-, during and post race should be conducted to inventory active nests and monitor behavior.

2.3 Alternative B – No Action

Under the No Action Alternative, the proposed race events would not be approved. The racing events would not be allowed to continue.

2.4 Alternatives Considered, but Eliminated from Further Analysis

2.5.1 Alternatives C Previous Alternative from the 2009 EA# UT-010-06-080, Status Quo alternative

Under alternative C competitive motorcycle racing events on public lands would continue to be authorized within the Sheeprock/Tintic Competitive OHV area, (see Appendix B) within the FFO. These events would involve up to 300 – 500 participants and up to 300 spectators. These events are to be held between April 15 and October as previously authorized. Participants and spectators are to provide

their own facilities for camping and would employ the Leave No Trace Skills & Ethics. Compliance with Juab County ordinances will also be followed.

Due to the Sage Grouse Interim Guidenance, the stipulations need to be modified to include additional mitagition. It is no longer practical or possible to realistically consider Alternative C as a viable alternative. Additionally, as noted previously, this alternative, when still viable, was previously analyzed.

Therefore, this alternative was considered but will not be analyzed further in this EA.

Stipulations

"This decision is contingent on meeting all stipulations and monitoring requirements as attached in Appendix C EA-UT-010-06-080"

Additional Stipulations

1. If fugitive dust begins to impact the visibility of vehicles on the roads the clubs may need to post signs or monitors to warn the traffic of the conditions.

2. To eliminate the spread of noxious/ invasive weeds throughout the field office area one or both mitigation measures will be implemented:

- Equipment will be cleaned prior to entering the proposed project area to minimize the introduction of noxious/invasive weeds in other areas.
- equipment will be cleaned prior to exiting the project area

4. In order to reduce impacts to grazing, a monitor could be stationed at gates in pature and allotment boundary fences and coordination will occur with the permitee prior to race events. Gates will be left as found.

5. Plant surveys in both known sensitive plant population areas and potential habitat areas along race course routes, proposed start areas, and staging areas would need to be completed during flowering (mid April to mid May). Overlaying soils, precipitation, and vegetation type maps will help to focus plant survey work on potential habitat areas for the three species. Some race courses, race start areas, or staging areas may need to be relocated to avoid impacts to plant species.

6. To minimize any disturbance to Sage Grouse, a two-mile radius buffer around the only known greater Sage-grouse lekk in the project area should be established. No activity would be allowed within the buffer during mating and nesting season from April 1st to July 1st. The course should also be well identified and participants should stay on course through the areas identified as brooding habitat.

7. According to the Utah Field Office Guidelines for Raptor Protection, active nest sites require ½ mile buffer areas for both the Golden Eagle (until August 31 or the young have fledged) and the hawks (until august 15 or the young have fledged). Raptor

surveys pre-, during, and post race should be conducted to inventory active nests and monitor behavior.

8. Event proponents will ensure that no adverse effect to historic properties will result from this Federally-permitted undertaking. If any adverse effect is discovered it shall be the responsibility of the event proponents to pay for mitigation of the effect including damage assessment(s) pursuant to the Archaeological Resources Protection Act (ARPA).

9. This activity would continue to be authorized through the SRP process through the Fillmore Field Office.

Monitoring

Raptor and plants survey requirements will be conducted as required and identified in Chapter 4.

Recreation staff from the Fillmore Field Office, the Salt Lake Field Office, and the Utah Division of Wildlife Resources will be out on various portions of the courses during the races to monitor and insure that the stipulations are being followed.

In addition to standard monitoring an inspection of portions of the courses will be made by a team of BLM specialists following the events. The purpose of this monitoring will be, among other things, to document whether or not any historic properties are affected during the permitted events.

If any adverse effects to historic properties are documented during monitoring the BLM will contract an outside consultant to conduct appropriate ARPA damage assessment and make recommendations concern mitigation of any adverse effects that occurred to the cultural resources. The event proponent may be responsible for paying for the ARPA damage assessment, and may be responsible to paying for implementation of mitigation measures identified by the BLM in consultation with the Utah State Historic Preservation Officer. The information gathered during monitoring would be used by the BLM to guide the Section 106 process for future permitted events in the Sheeprock/Tintic OHV SRMA.

2.5.2 Alternative D Closure of Sheeprock/Tintic Special Recreation Management Area in Sage Grouse Occupied Habitat

Under this Alternative the portion of the Sheeprock/Tintic SRMA which has sage grouse occupied habitat would be closed to OHV SRP permits. Rather than implement Stipulations and Mitigation for sage grouse, the BLM would close the north portion of the SRMA. This alternative was formulated based on WO IM No. 2012-043, Greater Sage Grouse Interim Management Policies and Procedures which states:

- Evaluate existing Special Recreation Permits (SRP) for adverse effects to Greater Sage-Grouse and modify or cancel the permit, as appropriate, to avoid or minimize effects of habitat alterations or other physical disturbances to Greater Sage-Grouse (e.g., breeding, brood-rearing, migration patterns, or winter survival).

This alternative was not considered for detailed environmental analysis for the following reasons:

- The Proposed Action would implement Stipulations and Mitigations which would alleviate adverse effects to sage grouse in the SRMA. This includes restricting races within brood-rearing and breeding habitiat. In addition, races would not be authorized in winter habitat prior to April 1st. This would alleviate issues with winter survival of the species.
- Discussions with the UDWR indicated that most of the occupied habitat in the SRMA is considered transitional habitat. Mitigation would be appropriate to alleviate adverse effects to sage grouse.
- Discussions with the UDWR are still ongoing, Utah Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH) have not been finalized as of the date of this document. It would pre-mature to close the area until those habitats are delinated.

Therefore, this alternative was considered but will not be analyzed further in this EA.

3.0 AFFECTED ENVIRONMENT

3.1 Introduction

This chapter presents the potentially affected existing environment (i.e., the physical, biological, social, and economic values and resources) of the impact area as identified in the Interdisciplinary Team Checklist found in Appendix A and presented in Chapter 1 of this assessment. This chapter provides the baseline for comparison of impacts/consequences described in Chapter 4.

3.2 General Setting

The climate of the area is generally classified as semi-arid. The mean annual temperature is 48 degrees F. The maximum temperature can reach 105 degrees during extreme conditions; however average highs are around 92 to 95 degrees during the summer months. The frost-free season throughout most of the area ranges from 110 to 130 days (Rykaczewski 1981).

The average precipitation varies according to the topography, with the high mountain areas receiving 14 to 20 inches per year while the desert valleys receive 4 to 6 inches per year. Most of the precipitation is in the winter and spring months (Rykaczewski 1981).

Topography of the area is characterized by broad desert valleys surrounded by high rocky mountain ranges which generally lie in a north-south direction. Elevations range from a low of 4400 feet to highs in excess of 10,000 feet (HRRMP 1987).

The area is situated within the Sevier and Great Salt Lake Sub-basins of the Great Basin Hydrological Region. Most of the streams originate at higher elevations within the area. All of the water that flows into the area is utilized within it. Several water storage facilities are located within the area.

The quality of the water found within the area is generally considered good. Waters derived from overland flow are considered to be of poor quality due to the accumulation of soil chemicals and particles during rapid run off.

Manmade structures other than those of the small communities situated within the area are principally railroads, roads, fences, utility lines, mines, and water facilities. The Visual Resource Management (VRM) classifications of the area are primarily Classes II and III (HRRMP 1987).

3.3 Resources/Issues Brought Forward for Analysis

3.3.1 Cultural Resources

Cultural resources include historic and prehistoric sites of interest and may include structures, archaeological sites, or religious sites of importance to Native American cultures. Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended (16 U.S.C. 40 et seq.), requires federal agencies to take into account the effects of their actions on properties listed or eligible for listing on the National Register of Historic Places (NRHP).

The National Park Service (NPS) defines archaeological and historic resources as "the physical evidences of past human activity, including evidences of the effects of that activity on the environment. What makes a cultural resource significant is its identity, age, location, and context in conjunction with its capacity to reveal information through the investigatory research designs, methods, and techniques used by archeologists." Ethnographic resources are defined as any "site, structure, object, landscape, or natural resource feature assigned traditional legendary, religious, subsistence, or other significance in the cultural system of a group traditionally associated with it" (NPS 1998). A cultural resource listed or considered eligible for listing on the NRHP is referred to as a historic property.

Previous surveys indicate the presence of historic properties in the area, but are not sufficient to determine the extent of site distribution or the degree of effects on historic properties. By examining the existing data, site damage appears most significant during the development of trails, i.e. during casual use. OHV racing that is limited to existing disturbance would be unlikely to adversely affect historic properties.

3.3.2 Invasive and Noxious Weeds

Noxious weeds are those exotic plant species having noxious characteristics and are of economic and/or environmental significance. Noxious weeds are designated and regulated by various State and Federal laws.

Squarrose knapweed (Centaurea virgata) has been documented within the bounds of the proposed race area.

3.3.3 Livestock Grazing

The race courses involved in the proposed action pass through allotments that are not grazed during the time that the races would be conducted with the exception of the McIntyre Allotment. The race which goes through the McIntyre Allotment would be conducted at the end of the grazing season which goes through May 31st. The McIntyre Allotment is grazed by 689 cattle from 2/15 through 5/31 and 9/1 through 12/15. There are 10 pastures through which the cattle are rotated. During April and May of 2012 the cattle are scheduled to be in three of these pastures. The majority of the cattle will be in the Devil Creek Pasture during May. The race course does not enter this pasture. There is still the possibility that a few cattle may be along the race course.

3.3.4 Vegetation including Special Status Plant Species other than FWS candidate or listed species

The vegetation of the area ranges from Salt Desert Shrub to Mountain Shrub-Pinyon Juniper types, with an understory of grasses and forbs.

The following BLM Sensitive Plant Species are either found in the area or have the potential to occur in the area: giant fourwing saltbush (*Atriplex canescens* var. *gigantea)*, small spring parsley (*Cymopterus acaulis* var. *parvus)*, and Neese narrowleaf penstemon (*Penstemon angustifolius* var. *dulcis)*.

3.3.5 Fish and Wildlife Including Special Status Species other than FWS candidate or listed species

General wildlife species that could be found to utilize Sagebrush/Steppe and Juniper habitat types within the vicinity of the race courses include mule deer (*Odocoileus hemionus*), pronghorn antelope (*Antilocarpa Americana*), mountain lion (*Felis concolor*), blacktail jackrabbits (*Lepus californicus*) and coyote (*Canis latrans*).

BLM special status species that could be found in Juab County that could potentially utilize the environment within the vicinity of the race courses include golden eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucocephalus*), burrowing owl (*Athene cunicularia*), Ferruginous hawk (*Buteo regalis*), greater sage-grouse (*Centrocercus urophasianus*), and kit fox (*Vulpes macrotis*). Migratory birds that may utilize this area include the black-throated gray warbler (*dendroica nigrescens*), Brewer's sparrow (*Spizella breweri*), broad-tailed hummingbird (*selasphorus platycercus*), loggerhead shrike (*Lanius ludovicianus*) northern harrier (*Circus cyaneus*), pinyon jay (*Gymnorhinus cyanocephalus*), prairie falcon (*Falco mexicanus*), and sage sparrow (*amphispiza belli*).

Raptors

All raptor species are protected under the MBTA. The bald eagle, burrowing owl, and ferruginous hawk are designated as sensitive by the BLM and state of Utah and are discussed in the Special Status Species. The turkey vulture, northern harrier, Swainson's hawk, ferruginous hawk, red-tailed hawk, American kestrel, prairie falcon, burrowing owl, and northern pygmy owl are commonly observed in the general Project area (GSLA 2007; UDWR 2007e; USGS 2007; Utah Birds 2007). All raptors identified are likely to forage in the study corridors. Species likely to nest in the study corridors include:the burrowing owl, northern harrier, short-eared owl, Swainson's hawk, red-tailed hawk, ferruginous hawk, great-horned owl, northern pygmy owl, kestrel turkey vulture, golden eagle, and prairie falcon.

The BLM SLFO and Raptor Inventory Nest Survey (RINS) have conducted annual surveys of raptor nests in the general Project area since 2001. These surveys have inventoried and monitored nests associate with 13 species of raptors. The most abundant nesting species are the ferruginous hawk, Swainson's hawk, burrowing owl, red-tailed hawk, and golden eagle. A GIS-based spatial analysis of the RINS data was conducted to identify areas supporting relatively high concentrations of raptor nests ("core raptor nesting areas").

Sage Grouse

The greater sage grouse has been petitioned repeatedly for listing under the ESA (see Kritz 2005). Three petitions, submitted in June 2002, March 2003, and December 2003, requested listing of the species across its entire range. In April 2004, the FWS determined that the information presented in the petitions and available in the FWS files was substantial. Consequently, a status review of the species was initiated. The 12-month finding for this status review was published in January 2005 and stated that listing of the greater sage grouse was not warranted (FWS 2005b). On December 4, 2007, the U.S. District Court, District of Idaho reviewed a petition forwarded by a group identified as Western Watersheds Project (WWP). The court ruled the 2005 USFWS decision in error and remanded the case back to USFWS for further consideration.

In March 2010, the USFWS found that the greater sage grouse warrants the protection of the Endangered Species Act (ESA) but that listing the species was precluded by the need to address other, higher priority species first.

On December 27, 2011 The Department of Interior BLM issued WO IM No. 2012-043 Greater Sage-Grouse Interim Management Policies and Procedures. The following were the recommendations for Recreation activities:

<u>Ongoing Authorization/Activities</u>

- Work with permittees to avoid or minimize effects to Greater Sage-Grouse and its habitat.
- Evaluate existing Special Recreation Permits (SRP) for adverse effects to Greater Sage-Grouse and modify or cancel the permit, as appropriate, to avoid or minimize effects of habitat alterations or other physical disturbances to Greater Sage-Grouse (e.g., breeding, brood-rearing, migration patterns, or winter survival).
- Implement any necessary habitat restoration activities after SRP events. Restoration activities must be consistent with Greater Sage-Grouse habitat objectives as determined by the BLM field office in collaboration with the respective state wildlife agency.

The current range of the greater sage grouse covers portions of 11 western states and 2 Canadian provinces: Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Utah, Colorado, North Dakota, South Dakota, Alberta, and Saskatchewan (Schroeder et al 2004, FWS 2005b).

Sage grouse require large tracts of sagebrush habitat for survival, although the minimum size of sagebrush tract required by this species is currently not known (Connelly et al. 2004). Sage-grouse depend on sagebrush for both food and cover, making them a sagebrush obligate species. They feed almost exclusively on sagebrush during winter and also consume it during the rest of the year, along with forbs and insects, when available. Forb availability to sage-grouse hens during the pre-laying period may influence reproductive success (Barnett and Crawford 1994). Consumption of insects is essential to the survival of sage grouse chicks during the first few weeks after hatching (Johnson and Boyce 1990) and forbs usually constitute the bulk of their diet during the

summer (Klebenow and Gray 1968, Peterson 1970, Drut et al. 1994). Hens with broods are usually found in areas with the greatest forb availability.

Sage-grouse habitat requirements vary between seasons. During winter, the availability of sagebrush above the snow determines sage-grouse distribution and is influenced by topography, snow depth, and vegetation characteristics.

In the spring, male sage-grouse perform elaborate breeding displays on communal breeding grounds called leks. Leks typically consist of open areas with short vegetation or bare ground. They are usually adjacent to relatively dense sagebrush stands used for cover and surrounded by potential nesting habitat. Most sage-grouse nests are located under sagebrush plants. Hens appear to select larger bushes, offering more visual obstruction than random shrubs. Sagebrush canopy cover is typically greater at nest sites than in other available habitat. Grass height and cover also appear to be important (see Connelly et al. 2000a, 2004). Hens with broods usually stay relatively close to the nest site during the first few weeks after hatch, but they tend to select areas with lower sagebrush cover than the actual nest site, and with abundant forbs and insects.

As vegetation dries up in the summer, sage-grouse move to higher elevations that receive more moisture, or forage in moist meadows, riparian areas, or agricultural fields adjacent to sagebrush habitat, particularly alfalfa fields (Connelly et al. 2004).

Major threats to sage grouse include the loss, fragmentation, and alteration of sagebrush ecosystems. Most sagebrush ecosystems have been altered by historic overgrazing, invasion of juniper and pinion trees, and/or exotic annuals, and a change in the frequency of fires primarily due to cheatgrass. As a result, sagebrush ecosystems area often being replaced by cheatgrass-dominated annual grasslands in lowland areas, and by juniper woodlands at higher elevations. In other areas, the grasses and forbs that are an integral part of healthy sagebrush steppe ecosystems are being out competed by old sagebrush plants, resulting in a loss of herbaceous understory and plant diversity.

The Sheeprock/Tintic SRMA includes sage grouse habitat. Although there are no leks within the SRMA, there is breeding and brood rearing habitat, winter habitat, and general or occupied habitat. The following table details the amount of sage grouse habitat within the SRMA:

Table 1. Sage Grouse Habitat types

Habitat Type	**Acres**
*General (transitional)	72,000
*Winter	57,000
*Brood-Rearing/Breeding	37,000
*Total Sage Grouse Habitat	166,000
*Not listed as Sage Grouse Habitat	194,000
*Total Sheeptock/Tintic SRMA	360,000

*Acre amounts are Approximates.

The nearest Lek is located approximately 1.5 miles from the SRMA boundary. The habitat acres listed as general habitat were described as transitional habitat by DWR Wildlife Biologist the FFO coordinated with.

3.3.6 Recreation

The Sheeprock/Tintic ORV Competitive events area is adjacent to the little Sahara Recreation Area and has been a traditional camping and OHV use area for over 50 years. These races have been considered the largest and longest running races in the State of Utah. These activities continue to be accommodated on a year round basis. During the scheduled times for these events, information is provided and posted for the general public. This type of recreation activity is part of the multiple recreation use in this area and in conformance with the HRRMP. The current season-of-use is between March 1 through October 31. This season-of-use was proposed, analyzed in EA UT-010-06-080, and permits issued for the 2009, 2010, and 2011 seasons.

The Sheeprock/Tintic ORV area also includes dispersed OHV use which is designated on existring roads and trails. These activities are associated with sight-seeing, hunting, mining, and rock-hounding.

4.0 ENVIRONMENTAL IMPACTS

4.1 Introduction

This EA is prepared to analyze direct and indirect impacts of desert motorcycle racing events within the Sheeprock/Tintic OHV area. There are two scheduled races to be conducted during the spring and two scheduled races to be conducted in the fall. These races are to be authorized on existing roads, trails, and washes within the identified area. The affected environment and potential environmental impacts of the Proposed Action were considered and analyzed by an interdisciplinary team (Appendix A). Because all known mitigating measures have been included in the Descriptions of the Alternatives, the environmental consequences described below are unavoidable.

4.2 General Analysis Assumptions and Guidelines

Describe the analytical methodology sufficiently so that a reader can understand how the analysis was conducted and why the methodology was used (40 CFR 1502.24). This explanation must include a description of any limitations inherent in the methodology. If there is substantial dispute over models, methodology, or data, you must recognize the opposing viewpoint(s) and explain the rationale for your choice of analysis. You may place discussions of methodology in the text or in the appendix of the document. To the extent possible, we recommend that the analysis of impacts be quantified.

The analytical assumptions, including geographic and temporal scope, the baseline for analysis, as well as reasonably foreseeable future actions must be clearly stated. Explain any assumptions made when information critical to the analysis was incomplete or unavailable (40 CFR 1502.22).

4.3Direct and Indirect Impacts

Direct effects are caused by the action and occur at the same time and place. Indirect effects are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable.

4.3.1 Alternative A – Proposed Action

4.3.1.1 Cultural Resources

Due to the presence of NRHP-eligible cultural resource sites within the Sheeprock/Tintic ORV Area, some potential impacts to cultural resources are anticipated. The use of existing roads, trails and washes would minimize the impacts to cultural resources within the area. The anticipated impacts resulting from permitting the three events during the 2012 season are not anticipated to be of such context and intensity to constitute a significant impact to cultural resources.

The start/finish areas, and staging areas have been inventoried for cultural resources and The findings of these surveys would determine which if any changes would have to be made. A class I inventory has been conducted to reroute races to avoid know historic properties. Racers will remain on exisiting disturbance to reduce the amount of impact to historic properties. If any adverse effects to cultural resources are documented during monitoring the BLM will contract an outside consultant to conduct appropriate ARPA damage assessment and make recommendations concern mitigation of any adverse effects that occurred to the cultural resources. The event proponents will be responsible for paying for the ARPA damage assessment, and may be responsible to paying for implementation of mitigation measures identified by the consultant, and or the BLM in consultation with the Utah State Historic Preservation Officer.

4.3.1.2 Noxious and Invasive Weeds

The potential for the spread of noxious and invasive weeds could be accelerated with the number of motorcycles that come from outside the area. Many participants are from outside the state of Utah and may import noxious weeds that currently do not exist in the area. The following mitigation would be adhered to;

- Prior to the race, all Motorbikes and other race equipment will be washed thoroughly with a pressure washer. The race project inspector can also deem bikes that are clean coming off trailers are race ready and do not need to be washed.
- In order to prevent the further spread of Squarrose knapweed prior to every race, either a race event coordinator or someone qualified would take the Fillmore Field Office Weed Coordinator on a ride of the course for inventory of Squarrose knapweed. If someone is not able to guide the Weed Coordinator, then a GPS shape file would need to be sent to the Weed Coordinator. In the event that a large monoculture of Squarrose knapweed is found on a submitted race course the FFO Weed Coordinator could deem the potential for seed spread to be an unacceptable impact and ask that the course be rerouted or that participants be required to wash after the race. If there are smaller, more manageable

infestations located by the inventory, they will be treated, thus not impeding the race.

Residual impacts remaining after the implementation of the above mitigation measures would be minimal. The risk of a new introduction would be minimized and any new infestations would be handled when they are at a manageable level.

4.3.1.3 Livestock Grazing

The race which goes through the McIntyre Allotment would be conducted at the end of the grazing season which goes through May 31st and the majority of the cattle would be in a pasture through which the race does not go. However, there is still the possibility that a few cattle may be along the race course. Since most of the cattle will be elsewhere, the conflicts between cattle and livestock will be minimized but not eliminated. Should cattle be present along the race course, they could be hit by racers or the racers may need to slow down to avoid collisions with them. Cows may temporarily be separated from their calves. Gates between pastures have the potential to be left open, which would allow cattle to drift into pastures or allotments for which they are not authorized. The following mitigation would apply:

- Impacts to livestock grazing could be prevented by stationing a person at gates in pasture and allotment boundary fences to insure that cattle do not pass through the gate during the race and after the race the gates will be closed.

Residual impacts remaining after the implementation of the proposed mitigation would be minimal.

4.3.1.4 Vegetation including Special Status Plant Species other than FWS candidate or listed species

There are two BLM Sensitive Plant Species that are known to occur on dunes and semi-stabilized sand dunes within the proposed race course area: Neese narrowleaf penstemon (*Penstemon angustifolius* var. *dulcis*) and giant four-wing saltbush, (*Atriplex canescens* var. *gigantea*) There is also one BLM Sensitive Plant Species that that may occur on dunes and semi-stabilized sand dunes within the proposed race course area: small spring parsley (*Cymopterus acaulis* var. *parvus*). Driving over plants with OHVs in the early spring (March 1-May15) would be the most likely time when negative impacts to general range vegetation and individual small spring parsley and the Neese narrowleaf penstemon plants would occur. The timing of most of the races is after the critical growing season for most range vegetation, small spring parsley, and Neese narrowleaf penstemon, which should mitigate the extent of impacts to those plants.

Giant fourwing saltbush is a larger plant that can reach a height of 12 feet and a diameter of 15-20 feet, which makes it less likely to be run over by racers. Despite its large size, however, it has been documented that giant fourwing saltbush has occasionally been run over and damaged by recreationists in LSRA. Therefore, potential impacts to giant fourwing saltbush, although they should be less extensive, will also be considered. The following mitigation will apply:

- Plant surveys in both known sensitive plant population areas and potential habitat areas along race course routes, proposed start areas, and staging areas would

need to be completed during flowering (mid April to mid May). Overlaying soils, precipitation, and vegetation type maps will help to focus plant survey work on potential habitat areas for the three species. Some race courses, race start areas, or staging areas may need to be relocated to avoid impacts to plant species.

Residual impacts would be non-existent as all sensitive plants would be avoided.

4.3.1.5 Fish and Wildlife Including Special Status Species other than FWS candidate or listed specie

The primary concerns of the proposed races are associated with the timing, location and intensity of the events. Races occurring during March 15 - August 15 (sensitive period for raptors) and March 1 - July 15 (sensitive period for greater sage grouse) have the potential to directly and indirectly affect nesting, brooding, fledgling, foraging and roosting of raptors and the greater sage grouse respectively. Repeated disturbance by race vehicles and participants during these sensitive periods, in or near important habitat, contributes to the negative effects of the proposed action. The races also have the potential to reduce habitat value and function by removing and fragmenting shrub cover and distribution. This directly reduces the availability of security cover and indirectly can reduce prey and forage species in the area. The following mitigation measures are to apply:

- No race activity is to occur within sage grouse nesting, brooding and/or rearing habitat. In addition, racers are to contain their activity to the existing courses within the boundaries of the existing disturbance. Courses that pass through sage grouse winter range are to be monitored to ensure that racers remain within the existing disturbance.
- From March 15 – July 15, .5 mile no activity nest buffers are to be established around all raptor nests. If the nest is determined to be non active after May 30, the buffer(s) may be removed and activity may occur (Appendix D, BMPs for Raptors and Their Habitats In Utah).

Residual impacts following the implementation of the proposed mitigation would be minimal as all of the sensitive areas would be avoided as prescribed in the BMPs.

4.3.1.6 Recreation

This activity is identified in the HRRMP as a viable recreation activity. These events are requested 3 to 4 times per year by clubs associated with the Utah Sportsman Riders Association in connection with sanction from the AMA. This type of recreation fills a need for the public in recreating on the public lands set aside within the FFO.

4.3.1.7 Monitoring and/or Compliance

The monitoring efforts for these events would include recreation staff from the BLM Fillmore Field Office, the BLM Salt Lake Field Office, the Utah Division of Wildlife Resources and potentially volunteers. Staff would be at various locations along the courses as determined by the authorized officer and appropriate technical specialist during the races to insure conformance with the approved stipulations. Within ten days

following the race event, FFO staff would monitor the project area to determine that the proponent has adhered to all of the mitigations and stipulations within the permit.

- If it is found that the permit holder did not comply with the terms and conditions of the permit, including stipulations and mitigation, the permit holder may be penalized according to Prohibited acts and penalties of 43 Code of Federal Regulations 2932.57 and 2933.33.

4.3.2 Alternative B – No Action

The No Action Alternative is to deny the proposed action and not issue an SRP for the completive race event.

4.3.2.1 Cultural Resources

Additional impacts from these events would not occur due to competitive race events.

4.3.2.2 Noxious and Invasive Weeds

The potential introduction or spread of noxious and invasive weeds would be reduced by the reduction of additional visitors, motorcycles, and events within the proposed project area.

4.3.2.3 Livestock Grazing

The potential for cattle to be hit by racers would be eliminated and collisions avoided by these participants. Cows would not be separated from their calves. Gates between pastures would not be left open, allowing cattle to drift into unauthorized pastures or allotments.

4.3.2.4 Vegetation including Special Status Plant Species other than FWS Candidate or Listed Species

Under the No Action alternative the required surveys would not need to be conducted and damage to vegetation or listed species would not occur as a result of the Proposed Action.

4.3.2.5 Fish and Wildlife Including Special Status Species other than FWS Candidate or Listed species

Under the No Action alternative no management actions beyond those already established for the Sheeprock/Tintic ORV Area would be implemented.

4.3.2.6 Recreation

This specialized recreation activity would not be permitted. There would be no opportunity for this type of recreation within the Sheeprock/Tintic ORV Area until this activity is reexamined and analyzed in a NEPA document.

4.4 Cumulative Impacts Analysis

Cumulative impacts are those impacts resulting from the incremental impact of an action when added to other past, present, or reasonably foreseeable actions regardless of what agency or person undertakes such other actions. The only actions that would continue in this area would be the continued casual recreation use, future race events and grazing.

Past and present actions that have occurred or are occurring within the area have the potential to contribute to cumulative impacts. These past and present actions make up the reasonably foreseeable actions that are expected within the proposed project area.

- Grazing: Cattle and sheep allotments occur within the proposed project area and continue to be utilized at various times of the year. There also livestock grazing allotments adjacent to the proposed project area
- Casual OHV Use – Casual OHV use within the Sheeprock Tintic ORV Area and surrounding areas continues to be popular with the public. In addition, the Little Sahara Special Recreation Area is located adjacent to the south of the ORV area.
- Disbursed Camping – Disbursed camping continues throughout the Sheeprock Tintic ORV Area and beyond the boundary of the area.
- The ORB area and the adajacent lands have had a large number of wild fires which have led to a change in the vegetation from Sagebrush grass mixed to seedings.
- Competitive Race Events – Competitive OHV races have occurred within the area for numerous years. Continuing interest and demand for such recreational opportunities is expected to continue.

4.4.1 Cultural Resources

Grazing on adjacent allotments and OHV use at Little Sahara are the two largest uses of public lands outside the proposed project area. Grazing allotments are subject to regular monitoring of eligible sites. Ongoing casual recreation use has the potential to adversely affect historic properties.

4.4.2 Noxious and Invasive Weeds

Ongoing OHV and recreational use has the potential to contribute to the spread of noxious/ invasive weeds throughout the Sheeprock/Tintic ORV Area. In addition, OHV activities on adjacent lands have the potential to have weeds. These areas are regularly inventoried by the FFO and treated accordingly.

4.4.3 Livestock Grazing

Any future impacts from past, present and/or reasonably foreseeable actions are anticipated to be temporary. They may involve adjustments in pasture rotations or temporary fencing.

4.4.4 Vegetation including Special Status Plant Species other than FWS Candidate or Listed species

Impacts to plants within or adjacent to the area due to past and present actions has been analyzed and mitigated. Future actions would require sufficient analysis and mitigation to minimize any impacts including cumulative impacts. No cumulative impacts to plants are anticipated as long as mitigation is adhered to. Activities which occur on adjacent lands would be subject to the same mitigation and stipulations which are placed on the proposed actions in this document.

4.4.5 Fish and Wildlife Including Special Status Species other than FWS candidate or listed species

In the past, golden eagle nests were subjected to the impacts and stresses of natural competition and survival. Over time, OHV recreation and organized races have become increasingly popular on public lands. Races however substantially increase the intensity

of noise and activity levels that can cause golden eagle (and other raptors) to abandon the area and discourage nesting of future generations. Cumulatively, future races occurring within the March 15 –July 15 nesting period will continue to discourage successful nesting in the area and contribute to the decline of raptor species.

The cumulative effects of increased race activity and noise levels to the greater sage-grouse could cause individuals to be displaced and discourage future generations from occupying winter and brooding habitat within the area. Habitat loss and fragmentation resulting by the proliferation of routes can reduce habitat quality and function over time and contribute to the decline of sage grouse. The following mitigation is to be applied:

- Raptor surveys pre-, during and post race should be conducted to inventory active nests and monitor behavior.

This along with the restiriction of races during the sage grouse breeding and brood rearing areas would decrease the probability that this action will contribute to negative impacts to any of the species identified within the area.

4.4.6 Recreation

The Proposed Action is a recurring activity and the USRA anticipates that these events continue to be conducted. Reasonably foreseeable impacts from the continuation of these events would require appropriate plant and wildlife surveys and monitoring of the identified resources that could be impacted. These activities in the Sheeprock/Tintic ORV and the Little Sahara Recreation Area are considered Cumulatively. The impacts which are identified and mitigated above are disclosed.

5.0 CONSULTATION AND COORDINATION

5.1 Introduction

The issue identification section of Chapter 1 identifies those issues analyzed in detail in Chapter 4. The ID Team Checklist provides the rationale for issues that were considered but not analyzed further. The issues were identified through the public and agency involvement process described in sections 5.2 and 5.3 below.

5.2 Persons, Groups, and Agencies Consulted:

Table 5.1. List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
US Fish & Wildlife Service	Information on Consultation under Section 7 of the Endangered Species Act 16 USC 1531)	Provide guidelines for conducting wildlife (to include raptor) surveys. Best Management Practices for Raptors and Their Associated Habitats In Utah, August 2006 (Instruction Memorandum UT-2006-096) See Attachment 3
Utah Division of Wildlife Resources	Consultation with UDWR as the agency with expertise on impacts to Sage Grouse	Held meeting to discuss proposed courses. Conducted field visit to assess courses and mitigation measures to be put in place for the

		protection of Sage Grouse habitat. Discussed races further with Jason Robison, DWR Sage Grouse Coordinator and Mark Farmer, DWR Biologist, Central Region about the race area. Concurrence letter was sent to John Fairchild, DWR Central Region Director. Concurrence was received through a phone conversation with Mark Farmer.
Utah Sportsman Riders Association	Consultation with USRA and motorcycle clubs on events proposed	Held planning meetings to propose and coordinate the 2009, 2010, 2011, 2012 Motorcycle racing seasons.
Paiute Tribe of Utah, Kanosh Band of the Paiute Tribe, and Confederated Tribes of the Goshute Reservation, Skull Valley Goshute Tribe, Hopi, Navajo and Uintah Ouray Ute Tribe.	Consultation by letter, email.	On March 1, 2012 the BLM notified the tribes of the proposed project. The Confederated Tribes of the Goshute Reservation, in an email response, has no comments on the proposed project. PITU responded with a letter and have no objections. A letter from the Hopi identified no concerns with the proposed project.
State Historic Preservation Office	report	Consulted on the BLM's determination of No Adverse Effect.

5.3 Summary of Public Participation

The proposal has been posted on the Electronic Network Bulletin Board (ENBB) on January 24, 2012 and maintained during the preparation and decision process for the Environmental Analysis. In addition the 2009 was posted on the ENBB on March 12, 2009. A 15 day public comment period was provided which began on March 12, 2009 and consequently ended on March 26, 2009. During this time period the EA was made available on the ENBB website.

5.3.2 List of Commenters

One letter was received representing the Southern Utah Wilderness Alliance and The Wilderness Society.

5.4 List of Preparers

Name	Title	Responsible for the Following Section(s) of this Document
Steven Bonar	Recreation Specialist	ACEC, Recreation, Visual Resources, Wild and Scenic Rivers, Wilderness Characteristics, Wilderness/WSAs
Paul Caso	Range Conservationist	Air Quality, Rangeland Health Standards and Guidelines, Rangeland Management, Water Quality (drinking/ground) , Soils
Russel L. Tanner	Archaeologist	Cultural Resources, Native American Religious Concerns
Richard Probert	Weeds Specialist	Invasive, Non-native Species (plants)
Randy Beckstrand	AFM – Renewable Resources	Environmental Justice, Socio-economics, woodland Forestry, Fish and Wildlife including Special Status;; Threatened, Endangered or Candidate Animal Species, Wild Horse and Burro
Teresa Frampton	Realty Specialist	Lands/Access
William J. Thompson	Range Conservationist	Farmlands (Prime or Unique), Floodplains, Wetlands/Riparian Zones
David Whitaker	Range Conservationist, Threatened/Endangered Plant Specialist	Threatened, Endangered or Candidate Plant Species; Vegetation including Special Status Plant Species other than FWS candidate or listed species
Wende Wilding	Fire Prevention Specialist	Prevention/Education (Fire)
Wende Wilding	Fuels Program Lead	Fuels, Fire Management
Jerry Mansfield	Geologist	Geology/Mineral Resources/Energy Production, Waste

6.0 REFERENCES, GLOSSARY AND ACRONYMS

6.1 References Cited

Rykaczewski, D. (1971) Final Report, Climate of the House Range Resource Area.

Environmental Applications Division, Science Applications Inc.
Utah Department of Environmental Quality, Division of Air Quality.
(http://www.airquality.utah.gov/)

APPENDICES

APPENDIX A Interdisciplinary Team Checklist

APPENDIX B Maps

APPENDIX C Special Reation Permit Stipulations

APPENDIX D Best Management Practices for Raptors and Their Associated Habitats in Utah August 2006

APPENDIX E UT- 010-06-080 Response to public comments and changes from previous EA

APPENDIX A
INTERDISCIPLINARY TEAM CHECKLIST

Project Title: 2012 OHV Races
NEPA Log Number: DOI-BLM-UT-W020-2012-0006-EA
File/Serial Number:
Project Leader: Steve Bonar

Project Description: The Utah Sportsman Riders Association (Firebirds Motorcycle Club, Sugar Loafers Motorcycle Club, and Sageriders Motorcycle Club) has proposed a competitive motorcycle event to be held in the Sheeprock/Tintic SRMA. Events will be conducted on April 14, May 5 and May 19. Each competitive race event will have approximately 120 – 300 participants using approved courses up to 90 miles in length. Races will be conducted on approved courses within the Sheeprock/Tintic OHV Competitive Events Area located in Juab County. The proposed courses, starting area, and staging areas are located on existing roads, trails, and washes.

DETERMINATION OF STAFF: ***(Choose one of the following abbreviated options for the left column)***

NP = not present in the area impacted by the proposed or alternative actions
NI = present, but not affected to a degree that detailed analysis is required
PI = present with potential for relevant impact that need to be analyzed in detail in the EA
NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determi-nation	Resource	Rationale for Determination*	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NI	Air Quality	Fugitive dust created by these events will be temporary and of short duration.	/s/ Paul Caso	1/30/12
NP	Areas of Critical Environmental Concern	There are no ACEC's within the OHV racing area.	/s/SBonar	3/16/12
NP	BLM Natural Areas**	There are no Natural Areas within the OHV racing area.	/s/SBonar	3/16/12
PI	Cultural Resources	Event proponents will ensure that no adverse effect to cultural resources of any kind, or of any significance will result from this Federally-permitted undertaking. If any adverse effect is discovered it shall be the responsibility of the event proponents to pay for mitigation of the effect including damage assessment(s) pursuant to the Archaeological Resources Protection Act. The Environmental Assessment will also include the following verbiage concerning BLM monitoring of the events and results therefrom: *If any adverse effects to historic properties are documented during monitoring the BLM will contract an outside consultant to conduct appropriate ARPA damage assessment and make recommendations concern mitigation of any adverse effects that occurred to the cultural resources. The event proponent may be responsible for paying for the ARPA damage assessment, and may be responsible to paying for implementation of mitigation measures identified by the BLM in consultation with the Utah State Historic Preservation Officer. The information gathered during monitoring would be used by the BLM to guide the Section 106 process for future permitted events in the Sheeprock/Tintic OHV SRMA.*	/s/ Russel L. Tanner	2/22/2012

Determi-nation	Resource	Rationale for Determination*	Signature	Date
NI	Greenhouse Gas Emissions**	Emissions will be temporary and of short duration.	/s/ Paul Caso	1/30/12
NI	Environmental Justice	The proposed action does not present any foreseeable impacts to environmental justice.	/s/ Randy Beckstrand	3/15/12
NP	Farmlands (Prime or Unique)	There are no Prime or Unique Farmlands within the race area.	/s/ Paul Caso	1/30/12
PI	Fish and Wildlife Excluding USFW Designated Species	General wildlife species that could be found to utilize sagebrush/steppe and juniper habitat types within the vicinity of the race course include mule deer (Odocoileus hemionus), pronghorn antelope (Antilocarpa Americana), mountain lion (Felis concolor), blacktail jackrabbits (Lepus californicus) and coyote (Canis latrans). No impacts are anticipated to occur. BLM special status species that could be found in Juab County that could potentially utilize the environment within the vicinity of the race course include golden eagle (Aquila chrysaetos),bald eagle (Haliaeetus leucocephalus), burrowing owl (Athene cunicularia), Ferruginous hawk (Buteo regalis), greater sage-grouse (Centrocercus urophasianus), and kit fox (Vulpes macrotis). Migratory birds that may utilize this area include the black-throated gray warbler (dendroica nigrescens), Brewer's sparrow (Spizella breweri), broad-tailed hummingbird (selasphorus platycercus), loggerhead shrike (Lanius ludovicianus) northern harrier (Circus cyaneus), pinyon jay (Gymnorhinus cyanocephalus), prairie falcon (Falco mexicanus), and sage sparrow (amphispiza belli). Primary concerns of the proposed races are associated with the timing, location and intensity of the events. Races occurring during March 15 - August 15 (sensitive period for raptors) and March 1 - July 15 (sensitive period for greater sage grouse) have the potential to directly and indirectly affect nesting, brooding, fledging, foraging and roosting of raptors and the greater sage grouse respectively. Repeated disturbance by race vehicles and participants during these sensitive periods in or near important habitat contributes to the negative effects of the proposed action. The races also have the potential to reduce habitat value and function by removing and fragmenting shrub cover and distribution. This directly reduces the availability of security cover and indirectly can reduce prey and forage species in the area. The following mitigation measures are to apply: • From March 1 – July 15 (BLM West Desert District BMPs), no race activity is to occur within sage grouse nesting, brooding and/or rearing habitat. In addition, racers to contain their activity to designated routes. Courses that pass through sage grouse winter range are to be monitored to ensure that racers remain within the existing disturbance. • From March 15 – July 15, .5 mile no activity nest buffers are to be established around all raptor nests. If the nest is determined to be none active after May 30, the buffer(s) may be removed and activity may occur (IM-UT-2006-096). • All riparian areas are to be avoided. The race is to be a minimum of 200 feet from any source of water and/or riparian vegetation except in areas where the stream channel is to be crossed. In areas where a stream is to be	/s/ Randy Beckstrand	3/15/12

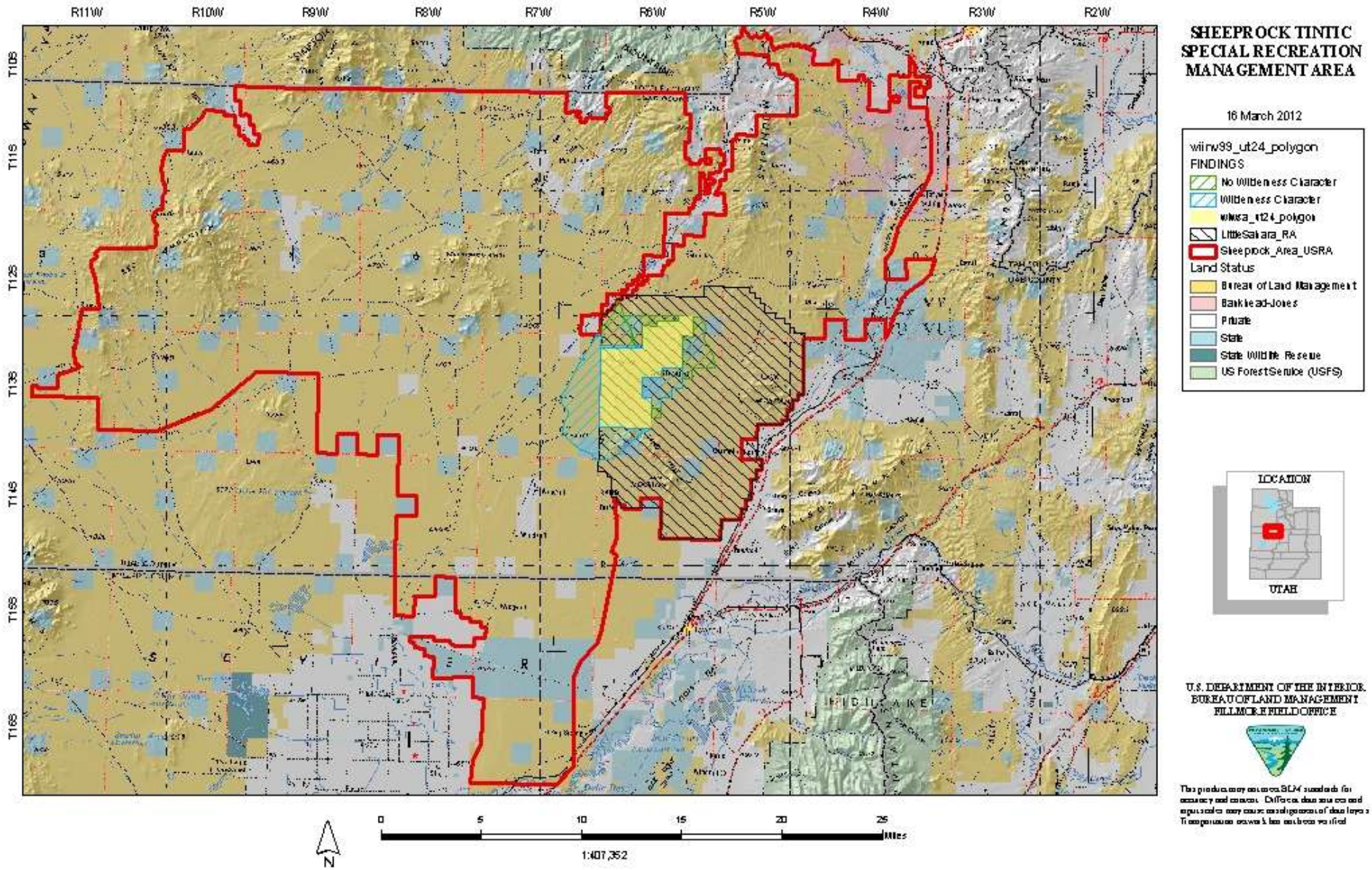
Determi-nation	Resource	Rationale for Determination*	Signature	Date
		crossed, all crossings are to perpendicular to the channel and are to be limited to the width of the race track. • Raptor surveys pre-, during and post race should be conducted to inventory active nests and monitor behavior.		
NP	Floodplains	There are no identified Floodplains within the race area.	/s/ Paul Caso	1/30/12
NP	Fuels/Fire Management	No issues from Fuels. Prevention/Mitigation will include language for this type of permit/activity	/s/Fritz W. Mueller /s/ Gary Bishop	1/20/12
NI	Geology / Mineral Resources/Energy Production	Races should avoid mineral activities in the area especially abandoned operations where mine shafts could constitute a serious hazard	/s/JMansfield	03/16/2012
NI	Hydrologic Conditions**	The proposed action will have no impact to Hydrologic Conditions within the race area.	/s/ Paul Caso	1/30/12
NI	Invasive Species/Noxious Weeds (EO 13112)	The proposed action is early enough in the spring that the weeds (Squarrose knapweed primarily) will still be in the rosette stage therefore no seed heads will be developed for transportation off the race sites.	/s/R.B. Probert	2/2/2012
NI	Lands/Access	No impacts to lands/access if the standard stipulations in the Special Recreation Permit are followed.	/s/ Teresa Frampton	2/16/12
PI	Livestock Grazing	Races will go through allotments which may have cattle in them. Cattle present along race routes could be hit by race participants. Race participants may need to slow down to avoid collisions with them. Gates between pastures have the potential to be left open, which would allow cattle to drift into pastures or allotments for which they are not authorized. A person should be stationed at gates in pasture and allotment boundary fences during the race to insure that cattle do not pass through the gate. Gates will be closed after the race is completed.	/s/ Paul Caso	1/30/12
PI	Migratory Birds.	(see Fish and Wildlife Excluding USFW Designated Species)	/s/ Randy Beckstrand	3/15/12
NI	Native American Religious Concerns	On March 1, 2012 the BLM notified the tribes of the proposed project. The Confederated Tribes of the Goshute Reservation, in an email response, has no comments on the proposed project. PITU responded with a letter and have no objections. A letter from the Hopi identified no concerns with the proposed project.	/s/ Russel Tanner	3-16-2012
NI	Paleontology	There are no known significant paleontological resources in the area; this type of activity would not normally have a substantial impact on those resources in any case.	/s/JMansfield	03/16/2012
NI	Rangeland Health Standards	Races will be confined to existing roads and trails. As a result, rangeland health would not be impacted. The allotments would continue to managed in accordance with the guidelines for grazing management.	/s/ Paul Caso	1/30/12
PI	Recreation	Because this area is identified within the House Range Resource Management plan for off-highway vehicle use, this activity meets the need identified in the HRRMP and will not produce or increase additional impacts to the casual recreation use in this area. These events only occur 3 to 4 times per year.	/s/SBonar	3/16/12
NI	Socio-Economics	There would be a small amount of associated business within the surrounding communities.	/s/ Randy Beckstrand	3/15/12
PI	Soils	Race routes must be confined to existing roads and trails. In the case of inclement weather, alternate routes should be identified and used to avoid damage to soils and vegetation.	/s/ Paul Caso	1/30/12
NP	Threatened, Endangered or Candidate Plant Species	There are no known federally-listed plant species within the proposed OHV race course areas.	/s/DWhitaker	2/16/12

Determi-nation	Resource	Rationale for Determination*	Signature	Date
NP	Threatened, Endangered or Candidate Animal Species	There are no known federally-listed fish and/or wildlife species on BLM lands within or near the proposed race course.	/s/ Randy Beckstrand	3/15/12
PI	Wastes (hazardous or solid)	Use of petroleum fuels and lubricants in the pit areas etc. must be controlled and any spills cleaned up with proper disposal of wastes and contaminated soil.	/s/JMansfield	03/16/2012
PI	Water Resources/Quality (drinking/surface/ground)	Race routes must be confined to existing roads and trails and those routes are not along perennial water sources.	/s/ Paul Caso	1/30/12
PI	Wetlands/Riparian Zones	Many of the Race Routes cross riparian areas at streams and pass near riparian areas at springs. In Otts Canyon an existing Jeep Trail is adjacent and runs parallel to the riparian area in the canyon bottom. Where the route crosses riparian areas in Otts Canyon, Pole Canyon, Cow Hollow, and at Indian Spring the route goes through riparian areas. In these locations and in others where the route passes through riparian areas, motorcycles or other vehicles associated with the race must use the existing road or route through the riparian area. The route must not be widened and cycles or other vehicles must not go up the drainage through the riparian areas and should cross the riparian area at 90 degrees to the riparian area along a stream. The route between Indian Springs and Otts Canyon should be verified to determine if it previously existed. This route has some straight lines and when riparian assessments were completed I do not remember seeing a route as shown on the map.	/s/ Bill Thompson	2/16/2012
NP	Wild and Scenic Rivers	There are no identified PL 111.11 wild & scenic rivers within the FFO.	/s/SBonar	3/16/12
NI	Wilderness/WSA	The Rockwell WSA is located within the Little Sahara Recreation Area. Race courses are not authorized to go through the WSA. Monitoring is in place to avoid this area.	/s/SBonar	3/16/12
NI	Woodland / Forestry	Proposed project would not cause changes to overall health of Pinyon/Juniper woodland	/s/Randy Beckstrand	3/15/12
PI	Vegetation Excluding USFW Designated Species	There are three BLM Sensitive Plant Species that are known to occur on dunes and semi-stabilized sand dunes within the proposed race course area. Plant surveys in potential habitat areas along race course routes will need to be completed during flowering (mid April to mid May). Some race courses may need to be moved to avoid impacts to plant species. Please see plant statement.	/s/DWhitaker	2/16/12
NI	Visual Resources	This activity will not impact or change the Class III or Class IV VRM status of this area.	/s/SBonar	3/16/12
NP	Wild Horses and Burros		/s/ Randy Beckstrand	3/16/12
NI	Areas with Wilderness Characteristics**	The area has been identified within the HRRMP as an OHV events area. This area has been identified as not having wilderness characteristics.	/s/SBonar	3/16/12

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	/s/ Randy Beckstrand	3/15/2012	
Authorized Officer	*/s/ Michael D. Gates*	*3/16/2012*	

APPENDIX B Sheeprock/Tintic SRMA Map


R11W
R10W
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R5W
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T10S
T11S
T12S
T13S
T14S
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T16S
SHEEPROCK TINTIC SPECIAL RECREATION MANAGEMENT AREA
16 March 2012
wiinv99_ut24_polygon
FINDINGS
No Wilderness Character
Wilderness Character
wilusa_ut24_polygon
LittleSahara_RA
Sheeprock_Area_USRA
Land Status
Bureau of Land Management
Bankhead-Jones
Private
State
State Wildlife Reserve
US Forest Service (USFS)
LOCATION
UTAH
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
FILLMORE FIELD OFFICE
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15
20
25
Miles
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APPENDIX C

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

SPECIAL RECREATION PERMIT STIPULATIONS

1. The permittee shall comply with all Federal, State, and local laws, ordinances, regulations, orders, postings, or written requirements applicable to the area or operations covered by the Special Recreation Permit. The permittee should ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. The permittee should make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients, customers, participants, or spectators under the permittee's supervision.

2. A Special Recreation Permit authorizes special uses of the public lands and related waters as specified in the permit. Should circumstances warrant, the permit may be modified by the BLM at any time, including modification of the amount of use. The authorized officer may suspend or terminate the SRP if necessary to protect public resources, health, safety, the environment, or because of noncompliance with permit stipulations. Failure to comply may result in criminal, civil, and/or administrative actions (probation, suspension, cancellation).

3. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price, or compensation. The use of a permit as collateral is not recognized by the BLM.

4. Unless expressly stated, the SRP does not create an exclusive right of use of an area by the permittee. The permittee shall not interfere with other valid uses of the Federal land by other users. The United States reserves the right to use any part of the area for any purpose.

5. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, the authorized officer may approve contracting of equipment or services in advance, if necessary to supplement a permittee's operations. Such contracting shall not constitute more than half the required equipment or services for any one trip and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit.

6. All advertising and representations made to the public and the authorized officer must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used. The permittee should not use advertising that attempts to portray or represent the activities as being conducted by the BLM. The permittee may not portray or represent the permit fee as a special Federal users' tax.

7. The permittee shall assume responsibility for inspecting the permitted area for any existing or new hazardous conditions, e.g., trail and route conditions, abandoned mines, landslides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, or other hazards that present risks for which the permittee assumes responsibility.

8. The permittee cannot, unless specifically authorized, erect, construct, or place any building, structure, or other fixture on public lands. Upon leaving, the lands must be restored as nearly as possible to pre-existing conditions.

9. The permittee, or a representative thereof, shall present a copy of the Special Recreation Permit to an authorized officer's representative, or law enforcement personnel upon request.

10. The authorized officer, or other duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or the permittee's operator, employee, or agent for up to 3 years after expiration of the permit.

11. The permittee shall submit a Post Use Report to the authorized officer for the event permitted and is in effect. If the post use report is not received by the established deadline the following late fee schedule will be initiated:

- More than 15 days but less than 30 days after the due date: $125
- More than 30 days after the due date, but less than 45 days: $250
- Post use reports submitted more than 45 days after the due date may result in criminal, civil, and/or administrative action to protect the interest of the United States.

12. The permittee shall notify the authorized officer of any accident which occurs while involved in activities authorized by this permit which results in: death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than $2,500 (lesser amounts if established by State law). Reports should be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage.

General

1. This permit is issued for the specific dates as identified in the SRP and is subject to validation. To secure validation the permit holder must:

(**a**) have performed satisfactorily under the terms and conditions of this permit and be in conformance with applicable Federal, State, and local laws, ordinances, regulations, orders, postings, and written requirements applicable to the area and operation covered by the permit,
(**b**) ensure that all persons operating under the permit have obtained all required Federal, State, and local licenses or registrations,
(**c**) have on file, with the office issuing the permit, current insurance identifying the U.S. Government as "Additional Insured" as specified in stipulation C, and
(**d**) have no outstanding, past due, or unpaid billing notices.

2. Permittees shall not leave unattended personal property on public lands administered by the Bureau of Land Management for a period of more than 48 hours without written permission of the authorized officer, with the exception that vehicles may be parked in designated parking areas for up to 14 consecutive days. Unattended personal property is subject to disposition under the Federal Property and Administrative Services Act of 1949 as amended.

3. The permit only authorizes the use for the activity, the time(s) and in the area(s) specifically described above.

4. Placement of caches of supplies and food or equipment for future trips is not allowed unless specifically authorized.

5. The permittee shall allow BLM representatives to complete permit checks to determine the validity of the permit, ascertain the group has a copy of the permit, all required equipment, and to orient trip participants about the use of public lands and safety.

Financial

1. The permittee shall submit a post use report (see Appendix A) within thirty days after the last use of the permit in a calendar year, or as agreed upon with the field office administering the permit. Alternative reporting arrangements may be established by written agreement with the authorized officer. An extension of this due date may be approved by the issuing office on a case-by-case basis.

2. The BLM retains the right to verify permit compliance from the books, correspondence, memoranda, and other records of the permittee, and from the records pertaining thereto

of a proprietary or affiliated company during the period of the permit and for three (3) years thereafter regardless of physical location.

Insurance

1. At a minimum, the permittee shall have in force public liability insurance in the appropriate amount as shown below.

General Guidelines for Minimum Insurance Requirements

SRP Event or Activity	Per Occurrence	Per Annual Aggregate
Moderate Risk: whitewater boating, horse endurance rides, OHV events, mountain bike races, rock climbing (with ropes), ultra-light outings, rodeos	$500,000	$1,000,000

2. The policy shall state that the insurance company shall have no right of subornation against the United States of America.

3. Such insurance must name the United States Government as “Additional Insured” and provide for specific coverage of the permittee's contractually assumed obligation to indemnify the United States.

4. The policy shall stipulate that the authorized officer of the Bureau of Land Management shall be notified 30 days in advance of the termination or modification of the policy.

5. The permit is not valid unless the permittee maintains a current authenticated certificate of the required insurance on file with the office issuing the permit.

6. The permittee shall indemnify and hold harmless the United States against any responsibility or liability for damage, death, injury, or loss to persons and property which may occur during the permitted use period or as a result of such use.

7. The permittee shall furnish a copy of the insurance policy directly to the authorized officer.

8. The name of the insured on the insurance policy must be the same as the name on the permit. Those permittees holding insurance policies which only insure the permittee and not the permittee’s employees must ensure that their employees also have the required insurance in effect, and that a certificate of insurance is furnished to the authorized officer.

9. The insurance need only be valid during periods of actual use.

Camping

1. The permittee will be responsible to ensure that historical, archaeological, cultural, or ecological values are not damaged, destroyed, or removed by any participants.

2. No camping is permitted within 300 feet of a known prehistoric or historic site.

3. No camping is permitted within 300 feet of a water source other than perennial streams unless prior authorization is received from the authorizing officer.

4. The Leave No Trace and Pack it In, Pack it Out should be employed.

5. Existing roads and trails will be used for travel to the maximum extent feasible unless otherwise authorized. During wet road conditions, any ruts deeper than four inches remaining on the roads from the permit will be repaired at the Authorized Officer's discretion.

6. Generated trash/debris shall be removed from public land and discarded at an authorized facility.

7. The proposed permit will be subject to valid prior existing rights-of-way (ROW). ROWs holders shall be contacted and coordinated with, if the proposed project affects any existing ROWs.

8. Noxious Weeds

1. Equipment will be cleaned prior to entering the proposed project area to minimize the introduction of noxious/invasive weeds in other areas.

2. Equipment will be cleaned prior to exiting the project area.

Fires

This permit does not waive any applicable restrictions that may affect the use of camp fires or cooking fires. The following stipulations apply unless specifically waived by the Authorized Officer:

1. Because of the impacts campfires create, their use shall be kept to a minimum. Using cook stoves or fire stoves is recommended as an alternative to cooking over campfires. When allowed, campfires shall be small and kept under control. Use fire pans or existing fire rings. Do not build new rock fire rings. Open fires may be prohibited during certain periods depending on fire danger.

2. No campfires will be left unattended. Permittee is solely responsible for all fires which permittee, employees, or clients start.

3. Fires and stoves are prohibited within old cabins, prehistoric or historic structures, alcoves, and caves or near rock art sites.

4. Cutting or gathering firewood from prehistoric or historic structures or from standing trees (alive or dead) is prohibited. Burn only dead and down wood.

5. Campfires shall be cleaned up. Depending on the location and the situation of your campsite, several methods of campfire clean up is possible:

(a) The preferred method is to carry ashes out.
(b) In some locations it may be desirable to burn the fire down to white ash and to scoop the ashes when "cold" from the fire pit, depositing them in a discreet location along a stream bank or wash where floodwaters will scatter them.
(c) In some locations it may be desirable to burn the fire down to white ash and to scatter "cold" ashes in a brushy area.
(d) Existing fire rings at frequently used campsites should be cleaned of ashes and trash but left intact. Do not bury campfires. At all other locations, evidence of fire should be eliminated and the area restored to a natural appearance.

6. Permittee may be held responsible for fire suppression costs resulting from wildfire caused by permittee, employees, or clients.

7. Wildfires shall be reported immediately to the nearest BLM office. Permittee is responsible for informing employees, clients, and participants of the current fire danger and required precautions that may be placed in effect by BLM or the State of Utah.

8. Comply with all fire restrictions and orders.

Safety and Equipment

1. The permittee shall provide the equipment necessary to serve the public in a safe manner. The permittee will ensure that the event is conducted in compliance with all laws and regulations relating to vehicle operations, land use restrictions, food handling, and any other applicable regulations.

2. The permittee shall insure that an adequate emergency services system is in place.

3. The following equipment must be available:
   (a) A first aid kit adequate to accommodate each activity, group, or subgroup will be carried on all trips.
   (b) Adequate repair kits and spare supplies appropriate for the event.

4. The following procedures must be followed:
   (a) No discharge of firearms is allowed within the event area.
   (b) Use of explosives and fireworks is prohibited.

SUPPLEMENTAL STIPULATIONS FOR PERMITTEES USING OFF HIGHWAY VEHICLES

1. OHV use must be specifically provided for in the permit and operating plan.

2. Only routes specifically approved in the permittee's operating plan may be utilized.

3. Permittee will be familiar and comply with State of Utah OHV laws. All trips and trip participants must follow state regulations and manufacturer's recommendations regarding operations.

4. Permittee must be familiar and comply with BLM's OHV designations whether posted on the ground or not.

5. Permittees will operate in accordance with 43 CFR 8340 concerning OHV use on public land.

6. OHV operators must yield to non-motorized users.

7. OHV operators shall not intentionally chase or harass wildlife.

8. The permittee shall be responsible for clean-up and remediation in the event of accident or mechanical failure resulting in the spillage of fuels, lubricants, coolants, hydraulic fluids, or other petroleum-based or synthetic organic compounds.

9. Equipment will be cleaned prior to entering the proposed project area to minimize the introduction of noxious/invasive weeds in other areas.

10. Equipment will be cleaned prior to exiting the project area.

11. For Competitive events, a requirement would be imposed when a course is routed through any critical habitat and/or historic properties. These areas would be identified with flagging and would have monitors posted during the race event.

APPENDIX D

Best Management Practices for Raptors and Their Associated Habitats In Utah

August 2006 (Instruction Memorandum UT-2006-096)

I. Introduction:

Raptors, or *Birds of Prey,* are found on public lands throughout Utah. Approximately 31 species of raptors utilize public lands for at least a portion of their life cycle. These include 20 diurnal raptors, including the eagles, hawks, falcons, osprey, turkey vulture and California condor; and 11 mostly nocturnal owl species. At least 16 of the diurnal raptors are known to nest, roost and forage on public lands; while 2 others are probable nesters within the southern part of the state. The California condor is known to utilize public lands for roosting and foraging, but is not currently known to nest within the state. The rough-legged hawk is a winter resident that uses public lands for foraging. All of the owl species nest, roost and forage on public lands in Utah.

Eight of Utah's raptors are considered to be Special Status Species by the BLM, and currently receive enhanced protection, in addition to the regulatory authority provided by the Migratory Bird Treaty Act (MBTA), which covers all raptor species. The bald eagle and Mexican spotted owl are listed as Federally threatened species and are afforded the protection, as well as the Section 7 consultation requirements, of the Endangered Species Act (ESA). The bald eagle is currently being proposed for delisting by the Fish and Wildlife Service. Both the bald eagle and golden eagle are protected by the provisions of the Eagle Protection Act. The California condor is a Federally endangered species, however, the birds found in southern Utah are part of an Experimental Non-essential Population reintroduced to northern Arizona under Section 10(j) of the Endangered Species Act. The BLM is required to treat the condor as a species proposed for listing for Section 7 purposes of the ESA. The northern goshawk is managed by a multi-agency Conservation Agreement. The ferruginous hawk, short-eared owl and burrowing owl are listed as Wildlife Species of Concern by the Utah Division of Wildlife Resources (UDWR, May 12, 2006), and are therefore recognized as BLM state-sensitive species under the Bureau's 6840 Manual. The BLM's 6840 Policy states that "*BLM shall…ensure that actions authorized, funded, or carried out…do not contribute to the need for the species to become listed".*

Future raptor management on BLM lands in Utah will be guided by the use of these Best Management Practices (BMPs), which are BLM-specific recommendations for implementation of the U.S. Fish and Wildlife Service, Utah Field Office's *"Guidelines for Raptor Protection From Human and Land Use Disturbances"* (*"Guidelines"*). The *"Guidelines"* were originally developed by the Fish and Wildlife Service in 1999, and were updated during 2002 to reflect changes brought about by court and policy decisions and to incorporate Executive Order 13186, *Responsibilities of Federal Agencies to Protect Migratory Birds.* The *"Guidelines"* were provided to BLM and other land-managing agencies in an attempt to provide raptor management consistency, while ensuring project compatibility with the biological requirements of raptors, and encouraging an ecosystem approach to habitat management.

These Best Management Practices, or specific elements of the BMP's which pertain to a proposal, should be attached as Conditions of Approval to all BLM use authorizations which have the potential to adversely affect nesting raptors, or would cause occupied nest sites to become unsuitable for nesting in subsequent years.

Raptor management is a dynamic and evolving science, and consequently, as the science evolves, these BMP's will undergo subsequent revision. As more information becomes available through implementation of these raptor BMP's, and as our knowledge of raptor life cycle requirements increases, findings will be incorporated into future revisions of the BMP document. Additionally, BLM and the Department of Energy are initiating a 3-year Raptor Radii study which will test traditional spatial and seasonal nest buffers during actual oil and gas development activities for a select suite of species. Study results would be incorporated into new BMP revisions as well.

To adequately manage raptors and their habitats, and to reduce the likelihood of a raptor species being listed under the Endangered Species Act (ESA), BLM-authorized or proposed management activities and/or land disturbing actions would be subject to the criteria and processes specified within these BMPs. The implementation of raptor spatial and seasonal buffers under the BMPs would be consistent with Table 2 of the "*Guidelines",* included here as Attachment 2. As specified in the "*Guidelines",* modifications of spatial and seasonal buffers for BLM-authorized actions would be permitted, so long as protection of nesting raptors was ensured. State and/or Federally-listed, proposed, and candidate raptor species, as well as BLM state-sensitive raptor species, should be afforded the highest level of protection through this BMP process; however, all raptor species would continue to receive protection under the Migratory Bird Treaty Act. Modification of the buffers for threatened or endangered species would be considered pending results of Section 7 Consultation with USFWS.

As stated in the "*Guidelines",* spatial and seasonal buffers should be considered as the best available recommendations for protecting nesting raptors under a wide range of activities state-wide. However, they are not necessarily site-specific to proposed projects. Land managers should evaluate the type and duration of the proposed activity, the position of topographic and vegetative features, the sensitivity of the affected species, the habituation of breeding pairs to existing activities in the proposed project area, and the local raptor nesting density, when determining site-specific buffers. The BLM would be encouraged to informally coordinate with UDWR and USFWS anytime a site-specific analysis shows that an action may have an adverse impact on nesting raptors. The coordination would determine if the impact could be avoided or must be mitigated, and if so, to determine appropriate and effective mitigation strategies.

Potential modifications of the spatial and seasonal buffers identified in the *"Guidelines"* may provide a viable management option. Modifications would ensure that nest protection would occur, while allowing various management options which may deviate from the suggested buffers within the *"Guidelines",* which, if adequately monitored, could provide valuable information for incorporation into future management actions.

Seasonal raptor buffers from Attachment 2 should be reviewed by local raptor nesting authorities who are knowledgeable of raptor nesting chronologies within their local area. For those nesting raptors for which local nesting chronologies remain uncertain, the seasonal buffers provided in Attachment 2 should serve as the default. However, for those raptor species whose known nesting chronologies differ from the seasonal buffers provided in Attachment 2, the local seasonal buffers may be utilized as a modification of the "*Guidelines".*

Criteria that would need to be met, prior to implementing modifications to the spatial and seasonal buffers in the "*Guidelines",* would include the following:

- Completion of a site-specific assessment by a wildlife biologist or other qualified individual. See example (Attachment 1)

- Written documentation by the BLM Field Office Wildlife Biologist, identifying the proposed modification and affirming that implementation of the proposed modification(s) would not affect nest success or the suitability of the site for future nesting. Modification of the *"Guidelines"* would not be recommended if it

is determined that adverse impacts to nesting raptors would occur or that the suitability of the site for future nesting would be compromised.

3. Development of a monitoring and mitigation strategy by a BLM biologist, or other raptor biologist. Impacts of authorized activities would be documented to determine if the modifications were implemented as described in the environmental documentation or Conditions of Approval, and were adequate to protect the nest site. Should adverse impacts be identified during monitoring of an activity, BLM would follow an appropriate course of action, which may include cessation or modification of activities that would avoid, minimize or mitigate the impact, or, with the approval of DWR and F&WS, BLM could allow the activity to continue while requiring monitoring to determine the full impact of the activity on the affected raptor nest. A monitoring report would be completed and forwarded to UDWR for incorporation into the Natural Heritage Program (NHP) raptor database.

In a further effort to provide additional support and expertise to local BLM Field biologists, a network of biologists from various agencies with specific expertise in raptor management has been identified and included as Attachment 3. The personnel identified have extensive backgrounds in raptor management issues and are available, upon request, to assist BLM Field biologists on a case by case basis. Field biologists are encouraged to use this network, via informal conference, with one or more of the individuals identified. This coordination should be clearly distinguished from the consultation process required under Section 7 of the ESA. Individuals on the expert panel should not be expected to provide formal advise, but should serve as a sounding board for discussing potential affects of a proposal, as well as potential mitigation measures on specific projects which may be useful to BLM biologists.

II. Habitat Enhancement:

As recommended in the "*Guidelines",* raptor habitat management and enhancement, both within and outside of buffers, would be an integral part of these BMPs, with the understanding that in order for raptors to maintain high densities and maximum diversity, it is necessary that the habitat upon which they and their prey species depend be managed to promote healthy and productive ecosystems. Habitat loss or fragmentation would be minimized and/or mitigated to the extent practical and may include such measures as; drilling multiple wellheads per pad, limiting access roads and avoiding loop roads to well pads, effective rehabilitation or restoration of plugged and abandoned well locations and access roads that are no longer required, rehabilitation or restoration of wildland fires to prevent domination by non-native invasive annual species, vegetation treatments and riparian restoration projects to achieve Rangeland Health Standards, etc.

In some cases, artificial nesting structures, located in areas where preferred nesting substrates are limited, but where prey base populations are adequate and human disturbances are limited, may enhance some raptor populations, or may serve as mitigation for impacts occurring in other areas.

III. Protection of Nest Sites and Buffer Zones:

As stated in the *"Guidelines"*, protection of both occupied and unoccupied nests is important since not all raptor pairs breed every year, nor do they always utilize the same nest within a nesting territory. Individual raptor nests left unused for a number of years are frequently reoccupied, if all the nesting attributes which originally attracted a nesting pair to a location are still present. Nest sites are selected by breeding pairs for the preferred habitat attributes provided by that location.

Raptor nest buffer zones are established for planning purposes because the nest serves as the focal point for a nesting pair of raptors. The buffer should serve as a threshold of potential adverse affect to nest initiation and productivity. Actions proposed within these

buffer zones are considered potentially impacting and, therefore, trigger the need for consideration of site-specific recommendations.

Seasonal (temporal) buffer zones are conservation measures intended to schedule potentially impacting activities to periods outside of the nesting season for a particular raptor species. These seasonal limitations are particularly applicable to actions proposed within the spatial buffer zone of a nest for short duration activities such as, pipeline or powerline construction, seismic exploration activity, vegetative treatments, fence or reservoir construction, permitted recreational events, etc., where subsequent human activity would not be expected to occur.

Spatial buffer zones are those physical areas around raptor nest sites where seasonal conservation measures, or surface occupancy restrictions may be applied, depending on the type and duration of activity, distance and visibility of the activity from the nest site, adaptability of the raptor species to disturbance, etc. Surface occupancy restrictions should be utilized for actions which would involve human activities within the buffer zone for a long duration (more than one nesting season) and which would cause an occupied nest site to become unsuitable for nesting in subsequent years.

Unoccupied nests:

All Activities, including All Mineral Leases: Surface-disturbing activities, occurring outside of the breeding season (seasonal buffer), but within the spatial buffer, would be allowed during a minimum three-year nest monitoring period, as long as the activity would not cause the nest site to become unsuitable for future nesting, as determined by a wildlife biologist. Facilities and other permanent structures would be allowed, if they meet the above criteria.

Some examples of typical surface disturbing actions, occurring outside of the seasonal buffer, which may not be expected to affect nest production or future nesting suitability, would include; pipelines, powerlines, seismographic exploration, communication sites, an oil or gas well with off-site facilities which does not require routine visitation, recreation events, fence or reservoir construction, vegetative treatments, and other actions with discreet starting and ending times, and for which subsequent human activity or heavy equipment operation within the spatial buffer would not be expected to occur, or could be scheduled outside of the seasonal buffer in subsequent years.

Surface disturbing activities that would be expected to potentially affect nest production or nest site suitability, include; oil and gas facilities requiring regular maintenance, sand and gravel operations, road systems, wind energy projects, mining operations, and other actions requiring continual, random human activity, or heavy equipment operation during subsequent nesting seasons.

A nest site which does not exhibit evidence of use, such as; greenery in the nest, fresh whitewash, obvious nest maintenance or the observed presence of adults or young at the nest, for a period of three consecutive years, (verified through monitoring), would be deemed abandoned and all seasonal and spatial restrictions would cease to apply to that nest. All subsequent authorizations for permanent activities within the spatial buffer of the nest could be permitted. If the nest becomes reoccupied after authorized activities are completed, conservation measures would be considered to reduce potential adverse affects and to comply with the Migratory Bird Treaty Act and the Eagle Protection Act.

The three-year non-use standard varies from the "*Guidelines*" suggested seven-year non-use standard before declaring nest abandonment. This variation is based upon a similar standard which has been applied for over 20 years in two administrative areas within Utah. Empirical evidence would suggest the three-year non-use standard has been effective in conserving raptor species. The

three-year standard has been applied without legal challenge or violation of "Take" under the Migratory Bird Treaty Act or the Eagle Protection Act.

Because prey base populations are known to be cyclic, and because raptor nest initiation or nesting success can be affected by drought and other random natural events, care should be taken when applying the 3-year non-activity standard. The 3-year nest occupancy monitoring requirement should be viewed as a minimum time period during those years of optimal raptor nesting conditions. During sub-optimal raptor nesting years, when nesting habitat may be affected by drought, low prey base populations, fire, or other events, the monitoring standard should be increased to allow raptors the opportunity to reoccupy nesting sites when nesting conditions become more favorable.

Occupied Nests:

All Activities: Land use activities which would have an adverse impact on an occupied raptor nest, would not be allowed within the spatial or seasonal buffer.

IV. Consideration of Alternatives and Mitigation Measures:

Alternatives, including denial of the proposal, should be identified, considered and analyzed in a NEPA document anytime an action is proposed within the spatial buffer zone of a raptor nest. Selection of a viable alternative that avoids an impact to nesting raptors should be selected over attempting to mitigate those impacts. If unavoidable impacts are identified, mitigation measures should be applied as necessary to mitigate adverse impacts of resource uses and development on nesting raptors. Monitoring of the effectiveness of the mitigation measures should be mandatory and should be included as a Condition of Approval.

V. Specific Strategies to be Implemented Regarding Other Resource Uses:

The following are management strategies designed to reduce or eliminate potential conflicts between raptors and other resource uses. This is a list of examples and is not intended to be an all-inclusive list. In all cases, when an activity on BLM lands is proposed, and a NEPA document developed, the site-specific analysis process identified in Attachment 1 may be implemented to identify and either avoid or mitigate impacts to raptors from the proposal. These strategies apply to both BLM and applicant-generated proposals. The strategies are as follows:

A. Cultural Resources

Excavation and studies of cultural resources in caves and around cliff areas should be delayed until a qualified biologist surveys the area to be disturbed or impacted by the activity for the presence of raptors or nest sites. If nesting raptors are present, the project should be rescheduled to occur outside of the seasonal buffer recommended by the *"Guidelines".*

B. Forestry and Harvest of Woodland Products

Timber harvest would be subject to NEPA analysis and would be conducted in a manner that would avoid impacts to raptor nests. This could also apply to areas identified for wood gathering and firewood sales.

C. Hazardous Fuel Reduction/Habitat Restoration Projects

Hazardous fuels reduction projects and shrubsteppe restoration projects should be reviewed for possible impacts to nesting raptors. Removal of trees containing either stick nests or nesting cavities, through prescribed fire, or mechanical or manual treatments, should be avoided.

It is important to note that certain raptor species are tied to specific habitat types, and that consideration must be made on a site-specific basis when vegetation manipulation projects are proposed, to determine which raptor species may benefit and which may be negatively affected by the vegetation composition post-treatment.

D. Livestock Grazing

Manage rangelands and riparian areas in a manner that promotes healthy, productive rangelands and functional riparian systems. Rangeland Health Assessments should be conducted on each grazing allotment, and rangeland guidelines should be implemented where Rangeland Health Standards are not being met, to promote healthy rangelands.

Locations of sheep camps and other temporary intrusions would be located in areas away from raptor nest sites during the nesting season. Placement of salt and mineral blocks would also be located away from nesting areas.

Season of use, kind of livestock, and target utilization levels of key species affect vegetative community attributes (percent cover, composition, etc.) and influence small mammal and avian species diversity and density. While not all raptor species would be affected in the same way, livestock management practices which maintain or enhance vegetative attributes, will preserve prey species density and diversity which will benefit the raptor resource.

E. OHV Use

Special Recreation Management Areas (SRMAs) that are developed for OHV use would not be located in areas that have important nesting, roosting, or foraging habitat for raptors.

Off highway vehicle use would be limited to designated roads, trails and managed open areas. Lands categorized as “Open” for OHV use should not be in areas important to raptors for nesting, roosting, and foraging

When proposals for OHV events are received, the area to be impacted, would be surveyed by a qualified wildlife biologist to determine if the area is utilized by raptors. Potential conflicts would be identified and either avoided or mitigated prior to the issuance of any permit.

F. Oil and Gas Development

The Code of Federal Regulations (CFR), 43 CFR 3101.1-2, allows for well site location and timing to be modified from that requested by the lessee to mitigate conflicts at the proposed site, and states that the location can be moved up to 200 meters and the timing of the actual drilling can be delayed for up to 60 days to mitigate environmental concerns. The regulation also allows BLM to move a location more than 200 meters, or delay operations more than 60 days to protect sensitive resources, with supporting rationale and where lesser restrictions are ineffective. The Site Specific Analysis (Attachment 1) would provide the supporting rationale. Provisions are also present within Sections 3 and 6 of the Standard Lease Form which require compliance with existing laws and would allow the BLM to impose additional restrictions at the permitting phase, if the restrictions will prevent violation of law, policy or

regulation, or avoid undue and unnecessary degradation of lands or resources.

G. Realty

Lands proposed for disposal which includes raptor nesting, roosting, or important foraging areas would be analyzed and evaluated for the relative significance of these resources before a decision is made for disposal or retention.

A priority list of important raptor habitat areas, especially for Federally listed or state sensitive raptor species, on state and private lands should be developed and utilized as lands to be acquired by BLM when opportunities arise to exchange or otherwise acquire lands.

Lands and realty authorizations would include appropriate conservation measures to avoid and/or mitigate impacts to raptors.

H. Recreation

Development of biking trails near raptor nesting areas would be avoided.

Rock climbing activities would be authorized only in areas where there are no conflicts with cliff nesting raptors.

In high recreation use areas where raptor nest sites have been made unsuitable by existing disturbance or habitat alteration, mitigation should be considered to replace nest sites with artificial nest structures in nearby suitable habitat, if it exists, and consider seasonal protection of nest sites through fencing or other restrictions.

Dispersed recreation would be monitored to identify where this use may be impacting nesting success of raptors.

I. Wild Horse Program

In areas where wild horse numbers are determined to be in excess of the carrying capacity of the range, removal of horses, as described in the various herd management area plans, would continue, to prevent further damage to rangelands.

VI. Inventory and Monitoring

A. Each Field Office should cooperatively manage a raptor database, with UDWR and USFWS, as part of the BLM Corporate database. Raptor data should be collected and compiled utilizing the Utah Raptor Data Collection Standards developed by the Utah State Office, so that personnel from other agencies can access the data. Appropriate protocols for survey and monitoring should be followed, when available. This database should be updated as new inventory and monitoring data becomes available. The data should also be forwarded to UDWR and the Natural Heritage Program, which has been identified as the central repository for raptor data storage for the State of Utah.

B. Use of Seasonal Employees and volunteers, as well as “Challenge Cost Share” projects, should be utilized to augment the inventory and monitoring of raptor nests within a planning area, with the data entered into the above-

mentioned databases at the close of each nesting season. Project proponents, such as energy development interests, would be encouraged to participate and help support an annual raptor nest monitoring effort within their areas of interest.

C. Active nest sites should be monitored during all authorized activities that may have an impact on the behavior or survival of the raptors at the nest site. A qualified biologist would conduct the monitoring and document the impacts of the activity on the species. A final report of the impacts of the project should be placed in the EA file, with a copy submitted to the NHP. The report would be made available for review and should identify what activities may affect raptor-nesting success, and should be used to recommend appropriate buffer zones for various raptor species.

D. As data are gathered, and impact analyses are more accurately documented, "adaptive management" principles should be implemented. Authorization of future activities should take new information into account, better protecting raptors, while potentially allowing more development and fewer restrictions, if data indicates that current restrictions are beyond those necessary to protect nesting raptors, or conversely indicates that current guidance is inadequate for protection of nesting raptors.

ATTACHMENT 1

Site Specific Analysis Data Sheet

Observer(s)_____
Date_____

1. **Conduct a site visit to the area of the proposed action and complete the raptor nest site data sheet according to BLM data standards**.

2. Area of Interest Documentation (**Bold** items require completion, other information is optional)

State_____ **Office** _____ **Management Unit** _____

Project ID# _____

Location (Description)

Legal T____ , R ____ , Sec. _____ , 1/4, _____ 1/4, _____ or UTM Coordinates

Latitude_____ Longitude_____

Photos Taken Y( ) N( )

Description of photos:
_____
_____
_____

_____
_____
_____
_____
_____
_____

Raptor Species_____ Confirmed_____ Unconfirmed

Distance From Proposed Disturbance to: Nest _____
Perch _____
Roost _____

Line of Site Evaluation From: **Nest** _____
Perch_____
Roost_____

Extent of Disturbance: Permanent_____ Temporary_____
Distance from Nest/Roost _____ Acreage_____

Length of Time_____ Timing Variations_____ Disturbance Frequency_____
_____
_____
_____
_____

Other Disturbance Factors: Yes (If yes, explain what and include distances from nest to disturbances) No

_____
_____
_____
___

Approximate Age of Nest: New_____ **Historical**: (Number of Years)

Evidence of Use (Describe):
_____

Habitat Values Impacted:
_____
_____
_____
_____

Proportion of Habitat Impacted (Relate in terms of habitat available):
_____
_____
_____
_____

Estimated Noise Levels of Project (db):_____

Available Alternative(s) (e.g., location, season, technology):

_____
_____
_____
_____

Associated Activities:

_____
_____
_____
_____

Cumulative Effects of Proposal and Other Actions in Habitat Not Associated With the Proposal:

_____
_____
_____
_____

Potential for site Rehabilitation: **High_____** **Low_____**

Notes/Comments:

_____
_____
_____
_____
_____

Summary of Proposed Modifications:

Possible modifications to the spatial and seasonal buffers within the FWS *"Guidelines"* include the following:

_____
_____
_____
_____

Rationale:

_____
_____
_____
_____

Summary of Proposed Mitigation Measures:

Possible mitigation measures related to the proposal include the following:

_____
_____
_____
_____

Rationale:

_____
_____
_____
_____

Summary of Alternatives Considered:

Possible alternatives to the proposal include the following:

Rationale:

Recommendation to FO Manager Based on Above Findings:

Field Office Wildlife Biologist Date

ATTACHMENT 2 - NESTING PERIODS AND RECOMMENDED BUFFERS FOR RAPTORS IN UTAH

Attachment 2 - Nesting periods and recommended buffers for raptors in Utah						
Species	**Spatial Buffer (miles)**	**Seasonal Buffer**	**Incubation, # Days**	**Brooding, # Days Post-Hatch**	**Fledging, # Days Post-Hatch**	**Post-fledge Dependency to Nest, # Days[1]**
Bald eagle	1.0	1/1-8/31	34-36	21-28	70-80	14-20
Golden eagle	0.5	1/1-8/31	43-45	30-40	66-75	14-20
N. Goshawk	0.5	3/1-8/15	36-38	20-22	34-41	20-22
N. Harrier	0.5	4/1-8/15	32-38	21-28	42	7
Cooper's hawk	0.5	3/15-8/31	32-36	14	27-34	10
Ferruginous hawk	0.5	3/1-8/1	32-33	21	38-48	7-10
Red-tailed hawk	0.5	3/15-8/15	30-35	35	45-46	14-18
Sharp-shinned hawk	0.5	3/15-8/31	32-35	15	24-27	12-16
Swainson's hawk	0.5	3/1-8/31	33-36	20	36-40	14
Turkey vulture	0.5	5/1-8/15	38-41	14	63-88	10-12
California condor	1.0	NN yet	56-58	5-8 weeks	5-6 months	2 months
Peregrine falcon	1.0	2/1-8/31	33-35	14-21	35-49	21
Prairie falcon	0.25	4/1-8/31	29-33	28	35-42	7-14
Merlin	0.5	4/1-8/31	28-32	7	30-35	7-19
American kestrel	NN[2]	4/1-8/15	26-32	8-10	27-30	12
Osprey	0.5	4/1-8/31	37-38	30-35	48-59	45-50
Boreal owl	0.25	2/1-7/31	25-32	20-24	28-36	12-14
Burrowing owl	0.25	3/1-8/31	27-30	20-22	40-45	21-28
Flammulated owl	0.25	4/1-9/30	21-22	12	22-25	7-14
Great horned owl	0.25	12/1-9/31	30-35	21-28	40-50	7-14
Long-eared owl	0.25	2/1-8/15	26-28	20-26	30-40	7-14
N. saw-whet owl	0.25	3/1-8/31	26-28	20-22	27-34	7-14
Short-eared owl	0.25	3/1-8/1	24-29	12-18	24-27	7-14

Mex. Spotted owl	0.5	3/1-8/31	28-32	14-21	34-36	10-12
N. Pygmy owl	0.25	4/1-8/1	27-31	10-14	28-30	7-14
W. Screech owl	0.25	3/1-8/15	21-30	10-14	30-32	7-14
Common Barn-owl	NN[2]	2/1-9/15	30-34	20-22	56-62	7-14

[1] Length of post-fledge dependency period to parents is longer than reported in this table. Reported dependency periods reflect the amount of time the young are still dependent on the nest site; i.e. they return to the nest for feeding. [2] Due to apparent high population densities and ability to adapt to human activity, a spatial buffer is not currently considered necessary for maintenance of American kestrel or Common barn-owl populations. Actions resulting in direct mortality of individual bird or take of known nest sites is unlawful

ATTACHMENT 3.

UTAH RAPTOR MANAGEMENT EXPERTS FROM VARIOUS AGENCIES

The following list of personnel from various agencies in Utah, are recognized experts in the field of raptor ecology or have extensive field experience in managing raptor resources with competing land uses. The list is provided to inform BLM field biologists and managers of this network of specialized expertise that may be able to assist, as time permits, with specific raptor management issues. Individuals in this Utah Raptor Network, also have well established contacts with an informal extended network of highly qualified raptor ecologists outside the state (i.e. USGS, State Wildlife Agencies, and Universities etc.) which could provide an additional regional perspective.

It should be pointed out that this list is not intended to replace or interfere with established lines of communication but rather supplement these lines of communication.

Utah BLM	**David Mills**	**david_mills@blm.gov**	**435-896-1571**
Utah BLM	**Steve Madsen**	**steve_c_madsen@blm.gov**	**801-539-4058**
Utah DWR	**Dr. Jim Parrish**	**jimparrish@utah.gov**	**801-538-4788**
Utah DWR (NERO)	**Brian Maxfield**	**brianmaxfield@utah.gov**	**435-790-5355**
USFWS	**Laura Romin**	**laura_romin@usfws.gov**	**801-975-3330**
USFWS	**Diana Whittington**	**diana_whittington@usfws.gov**	**801-975-3330**
USFS	**Chris Colt**	**ccolt@fs.fed.us**	**801-896-1062**
HawkWatch Intl	**Jeff Smith**	**jsmith@hawkwatch.org**	**801-484-6808**

ATTACHMENT 4
References Cited

Code of Federal Regulations; 43 CFR 3101.1-2, Leasing Regulations.

Endangered Species Act (ESA); 16 U.S.C. 1513-1543

Migratory Bird Treaty Act (MBTA); 16 U.S.C. 703-712

Romin, Laura A. and James A. Muck, 2002, "Utah Field Office Guidelines For Raptor Protection From Human And Land Use Disturbances." U.S. Department of Interior, U.S. Fish and Wildlife Service, Utah Field Office, Salt Lake City, Utah.

Standards for Rangeland Health and Guidelines for Grazing Management; 1997. U.S. Department of Interior, Bureau of Land Management.

U.S. Department of the Interior, Bureau of Land Management; 6840 Manual.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Salt Lake Field Office
2370 South 2300 West
Salt Lake City, Utah 84119
ph: (801) 977-4300; Fax: (801) 977-4397

BLM WEST DESERT DISTRICT
WILDLIFE HABITAT BEST MANAGEMENT PRACTICES (BMPs)

Existing Lands Use Plans for the Salt Lake Field Office date back to 1986. Through time adaptive management is needed to manage biological resources on public lands managed for multiple use. When feasible, BLM kindly requests you to implement these additional guidelines to provide further protection for sensitive species and habitats.

Greater Sage Grouse:

- Expand the 0.5 miles buffer to a 2.0 mile buffer of an occupied lek, or within 4.0 miles of identified greater sage-grouse nesting and early brood-rearing habitat from March 1 through July 15;
- Allow no surface-disturbing or otherwise disruptive activities in identified greater sage-grouse winter concentration areas from December 1 through March 1;
- No Surface Occupancy (NSO) within 0.5 mile of the perimeter of occupied greater sage-grouse leks. Allow no human activity which would disrupt sage-grouse breeding activities from March 1 through May 15 within 0.5 mile of an occupied lek.

Moose/Elk:

- Avoid crucial winter range between December 1 – April 15;
- Avoid crucial calving areas between May 1 to June 30

Migratory birds/Raptors:

- Avoid activities during the migratory bird breeding season, typically between March 15 – July 15, however, dates may vary depending upon the species and current environmental conditions (IM2008-050)
- When breeding bird surveys are required, focus on BLM Sensitive Species, and the 2002 USFWS BCC/PIF list. *Available for downloading at the web address below*. http://www.fws.gov/migratorybirds/reports/BCC2002.pdf
- Follow USFWS' Guidelines for raptor protection during the breeding season (Romin and Muck 1999). *Available for downloading at the web address below*. http://www.fs.fed.us/r4/rifc/pahvant/Comment_Letter_US_Fish_&_Wildlife.pdf

Pygmy rabbits:

- Apply a 100 meter buffer around active burrow complexes;
- Habitat restoration projects: develop habitat corridors for movement 239 meters wide and leave habitat patches 490 meters wide in identified pygmy rabbit habitat

Basin Prairie shrub habitat (Burrowing owls/kit fox/ferruginous hawks)

- Avoidance of burrows, dens and nests

Springs/marshes/ponds

When feasible avoid aquatic resources

BLM Wildlife Review Guidelines

1. Follow BLM Wildlife Stipulation and BMPs

2. Coordinate project early with BLM Wildlife Staff to insure cooperation, and if necessary, interagency collaboration

3. Use best available data to analyze project. Request data from the UNHP with a 1.0 mile buffer of the proposed project area. Download habitat polygons data from http://dwrcdc.nr.utah.gov/ucdc/

4. In Utah, BLM follows the Utah Division of Wildlife Resources' State Species list for BLM Sensitive Species (UT 2007-078). Please consider how your proposed action will impact these species and their habitats. Please contact the Utah Natural Heritage Program Information Manager - Sarah Lindsey (801) 538-4759; sarahlindsey@utah.gov for data requests.

   Specific habitat polygons are available for downloading at the web address below
   http://dwrcdc.nr.utah.gov/ucdc/ViewReports/SSL&Appendices121407.pdf

5. Water in the West Desert is vital to wildlife. When considering your project, be sure to make sure that you will not impact sensitive refuge populations of Least Chub, Boreal toad or Columbia spotted frog (Fillmore Field Office) that are protected by a Conservation Agreement. Provide the FO with a list of any proposed waters crossings including springs.

6. When biological data collection is a BLM requirement, use the BLM West Desert District GIS shapefile and GPS data dictionary Please include metadata. Data should be projected in NAD 83. GIS Shapefiles should be sent to the GIS Manager, Cheryl Johnson. Cheryl_johnson@blm.gov. For questions, call 801-977-4379

7. Send an electronic copy of report to the BLM West Desert District Wildlife Biologist reviewing the project.

References:

[4]2008 BLM Utah State Office

[5] IM2008-050 Migratory Birds Treaty Act Interim Management Guidance (2008).

Romin*, L.A., and I.A. *Muck. 1999. U.S. Fish and Wildlife Service. Utah field office guidelines. for raptor protection from human and land use disturbances

Response to Public Comment:

During the public comment provided for the previous Environmental Assessment # UT-010-06-080, the Fillmore Field Office received one letter submitted by The Wilderness Society and Southern Utah Wilderness alliance. The comments addressed below were all submitted within this letter.

1. The map "proposed USRA courses" shows routes that enter WSAs and areas with wilderness character. BLM must identify and analyze potential direct and indirect impacts to wilderness study areas and areas of potential wilderness character.
    a. BLM Response – The map titled "proposed USRA courses" has been removed. Additional language has been added to chapter 2 making it clear that no races would be permitted within Wilderness Study Areas or areas that are proposed to contain wilderness characteristics.
2. BLM must be in compliance with the Clean Air Act. BLM must prepare models and inventories for fugitive dust to determine the potential impacts of OHVs to the area.
3. BLM considers the scope of the project in conjunction with the potential impacts in determining the appropriate method of analysis for each resource. Information from the Division of Air Quality indicates that the area is in attainment for NAAQS. In this instance since the activity is not a major change from past activities, there are no additional impacts to air quality expected to the affected environment. An emissions inventory or modeling would not add to the analysis in a meaningful way. The description of affected environment and qualitative discussion of potential impacts and mitigation measures is sufficient for a reasoned and informed decision. The impacts of OHV use as a whole within the SRMA are beyond the scope of this analysis and therefore will not be considered. In comparison to the number of visitors within the Little Sahara Recreation Area and casual users within the Sheeprock/Tintic SRMA the competitive OHV race events are considered to be minimal and diminimus. However, BLM is concerned with Air Quality and dust emissions, the proposed action restricts riders to approved roads, trails, and washes to minimize impacts and limit any potentially new disturbance (see chp 1: proposed action). In response to your comments, language has been added to the affected environment and environmental impacts sections to better disclose existing condition and potential impacts, used as the basis for this decision.

4. BLM must conduct surveys prior to the races being held to minimize impacts to resources. BLM must demonstrate how the routes minimize impacts to sensitive plants and animals within the area
    a. Surveys for sensitive resources would be conducted prior to the races being held and all BMPs for avoidance and minimization of impacts would be adhered to. Cultural surveys for the area would be conducted through the PA as described in chapter 4. Race events conducted in 2009

would be restricted to existing disturbances and therefore would not lead to additional impacts to cultural resources.

5. The BLM must include a map of the sage riders proposed course.
    a. Maps provided within this document are preliminary and may change to avoid sensitive resources. All potential courses would be restricted to existing roads, trails and washes and would be held to the stipulations and mitigation described within this document.
6. The BLM must disclose potential direct and indirect cumulative impacts of the proposed action.
    a. The cumulative impact of the proposed races and spectators, estimated to be up to 2400, have been analyzed and is considered minimal in comparison to the amount of annual visitation to the area. Little Sahara Recreation Area, adjacent to the SRMA is used for comparison as there is a fee program and therefore there is a record of visitation. On Easter weekend LSRA usually has over 30,000 visitors and over 205,000 on an annual basis.
7. The BLM must disclose the effectiveness of the mitigation measures being applied.
    a. Sections describing the residual impacts following the implementation of the mitigation have been added to chapter 4 under each resource.
8. The BLM must not approve any competitive events unless they have the funding and monitors available to monitor the race. The BLM must make mitigation mandatory and spell out the penalties for not adhering to the terms and conditions of the permit.
    a. Upon the submission of each race course the BLM would evaluate it and conduct surveys. Once the BMPs have been adhered to the authorized officer and appropriate technical specialist would determine where and how many monitors each resource would require. These monitors would be required for the permit to be issued.
    b. Language added under monitoring in chapter 4.

Changes to the EA

The current EA is considering and including the changes made to the previous EA. The changes are minor and serve to clarify the statement made within the document. The changes do not alter the analysis contained within the document.

1. General Comment – Clarification throughout the document as to the trails through the area. The area is open to existing roads, trails and washes. This document does not "designate" any trails but falls within the guidance provided within the House Range RMP. "Existing" roads, trails and washes includes the start areas and staging area that have been used in the past and currently exist.
2. General Comment – Proposed USRA courses map has been removed as well as all language referencing this map.
3. General Comment – Residual Impacts section added to all resource discussions within chapter 4 to describe the impacts remaining after the implementation of the mitigation.
4. 2.1, Paragraph 3 – Added to clarify that routes will not be approved within the Rockwell WSA nor will they be approved within any areas proposed to contain wilderness character until a review of such areas can be completed.

5. 2.1, Paragraph 6 – Clarification added to 2nd sentence.
6. 3.1, Air Quality – Additional background information added to the air quality section.
7. 4.1.2, Air Quality – Additional background data from chapter three included and referenced.
8. 4.1.8, second bullet – Clarification added to this mitigation as to the application of "existing" as well as the monitoring requirements.
9. 4.1.10, Second Paragraph – Second paragraph added to describe the potential penalties associated with the violation of the terms and conditions of the permit.
10. 4.3.1, First paragraph – Last sentence added to incorporate the additional background information.